

# **Recommendations of the Proposed District Plan Independent Hearings Panel (IHP)**

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**Wellington** City Council  
Me Heke Ki Pōneke

## **Briefing for Elected Representatives**

Ecosystems and Indigenous Biodiversity  
27.05.2025

# Chapters in scope of this briefing

## **Ecosystems and Indigenous Biodiversity chapter (ECO)**

Appendix 2 – Biodiversity Offsetting  
Appendix 3 – Biodiversity Compensation  
Appendix 15 – Ecological Assessment

## **Infrastructure – Ecosystems and Indigenous Biodiversity chapter (INF-ECO)**

Schedule 8 – Significant Natural Areas  
Schedule 9 – Indigenous Tree Sizes

# Background and regulatory context


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# Pathway to Plan notification

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<b>Backyard Taonga engagement</b> August 2019 –	<ul style="list-style-type: none"><li>• First communication to landowners about significant natural areas.</li><li>• SNAs identified on both residential and rural areas.</li><li>• Site visits undertaken and landowner request.</li><li>• Changes to mapping to account for consents &amp; vegetation removal.</li></ul>
<b>Draft NPS-IB government consultation</b> November 2019 – March 2020	<ul style="list-style-type: none"><li>• Council submission on Draft NPS-IB.</li><li>• Concerns raised about strictness of draft provisions.</li><li>• Request for central government support to implement final proposals.</li></ul>
<b>Draft Spatial Plan consultation</b> October – November 2020	<ul style="list-style-type: none"><li>• City-wide engagement on the identification and protection of SNAs.</li><li>• More site visits undertaken at landowner request.</li></ul>
<b>Draft district plan consultation</b> November – December 2021	<ul style="list-style-type: none"><li>• Consultation with owners on draft rules for vegetation removal,</li><li>• More site visits undertaken at landowner request.</li></ul>
<b>Proposed District Plan notification</b> June 2022	<ul style="list-style-type: none"><li>• Decision not to identify SNAs on residential land.</li><li>• Provisions enable clearance where effects offset or compensated.</li></ul>

# 'Backyard Taonga' programme

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- Initiated in 2016 due to misalignment with RPS requirements and Council direction in 'Our Natural Capital – Biodiversity Strategy and Action Plan'.
- Desktop audit against RPS criteria.
- Mailout to **~1700** landowners in 2019.
- **148** site visits requested and held.
- Formed part of consultation on both Spatial Plan and Draft District plan.





# Higher order direction



## **Resource Management Act 1991 (RMA)**

High level direction as a matter of national importance.

## **New Zealand Coastal Policy Statement 2010 (NZCPS)**

## **National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB)**

Detailed national direction to identify and protect significant natural areas (SNAs) and manage indigenous biodiversity broadly.

## **Wellington Regional Policy Statement Change One (RPS-PC1) 2024**

Interprets national direction in a Wellington region context and introduces specific requirements for city and district councils.

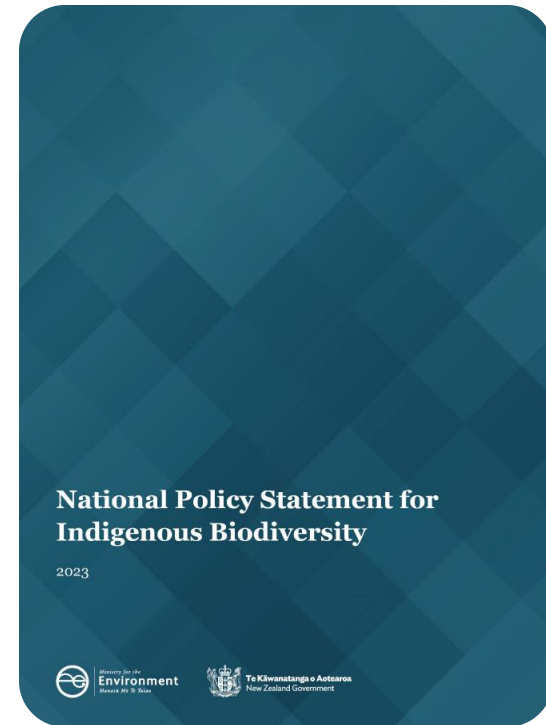
# National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB)

**Draft:** November 2019

**Gazetted:** July 2023

- Provides wide-ranging and specific direction.
- Focus *not just* on SNAs, but also indigenous biodiversity broadly.
- Defined identification criteria.
- 'Decision making principles' including mana whenua engagement.
- Set implementation timeframes.

**Substantial 'tightening up' of planning restrictions.  
Must manage indigenous biodiversity more broadly.**



# Resource Management (Freshwater and Other Matters) Amendment Act 2024

**Introduced:** May 2024


**Royal assent:** October 2024

- 3-year suspension to identify SNAs in council plans.
- Also suspended requirements for plans to give effect to the NPS-IB.
- Intended to allow time for a review of SNAs as a tool.
- Does not affect obligations under the RMA or regional direction.
- Does not affect SNAs already existing proposed plans or plan changes.

**Curtailed extension of SNAs beyond those notified.  
Provisions for SNAs must give effect to NPS-IB.**



# Sequence of events affecting PDP settings



<b>PDP notified (July 2022)</b>	<ul style="list-style-type: none"><li>• Decision not to identify SNAs on residential land.</li><li>• Provisions enable clearance where effects offset or compensated.</li></ul>
<b>NPS-IB gazetted (July 2023)</b>	<ul style="list-style-type: none"><li>• Introduces strict requirement to avoid effects on biodiversity.</li><li>• Requires management of biodiversity more broadly.</li></ul>
<b>RPS-PC1 hearing</b>  <b>Amendment Bill</b>  <b>(Feb-Sept 2024)</b>	<div><b>PDP Hearing</b></div> <ul style="list-style-type: none"><li>• Aligns RPS Change One with the NPS-IB.</li><li>• Consistent direction to WCC PDP from both NPS-IB and RPS.</li><li>• Bill introduced to suspend NPS-IB requirements.</li></ul>
<b>Amendment Act (Oct 2024)</b>	<ul style="list-style-type: none"><li>• Bill confirmed with minimal changes.</li></ul>
<b>RPS-PC1 decisions (Oct 2024)</b>	<ul style="list-style-type: none"><li>• GWRC makes decisions on RPS Change One which implement the strict requirements of the NPS-IB.</li></ul>
<b>Council decisions (June 2025)</b>	<ul style="list-style-type: none"><li>• Decisions on IHP recommendations.</li></ul>

# High level matters responded to by the notified chapters

## Issue

There are requirements to protect indigenous biodiversity in RMA and RPS that the 2000 DP does not fulfil.

Infrastructure is located within areas of significant indigenous biodiversity and needs to be operated, maintained and repaired or newly developed.

## Notified PDP response

Identifies SNAs and introduces planning provisions to manage trimming, pruning and removal of vegetation.

Introduces a specific chapter to reconcile these tensions and sets out a specific rule framework.

# Overview of submissions

Chapter	Total submission points
ECO chapter, mapping and definitions	405
INF-ECO chapter	137
APP2 – Biodiversity offsetting	25
APP3 – Biodiversity compensation	21
APP15 – Ecological assessment	3
SCHED8 – Significant natural areas	122
SCHED9 – Indigenous tree sizes	3

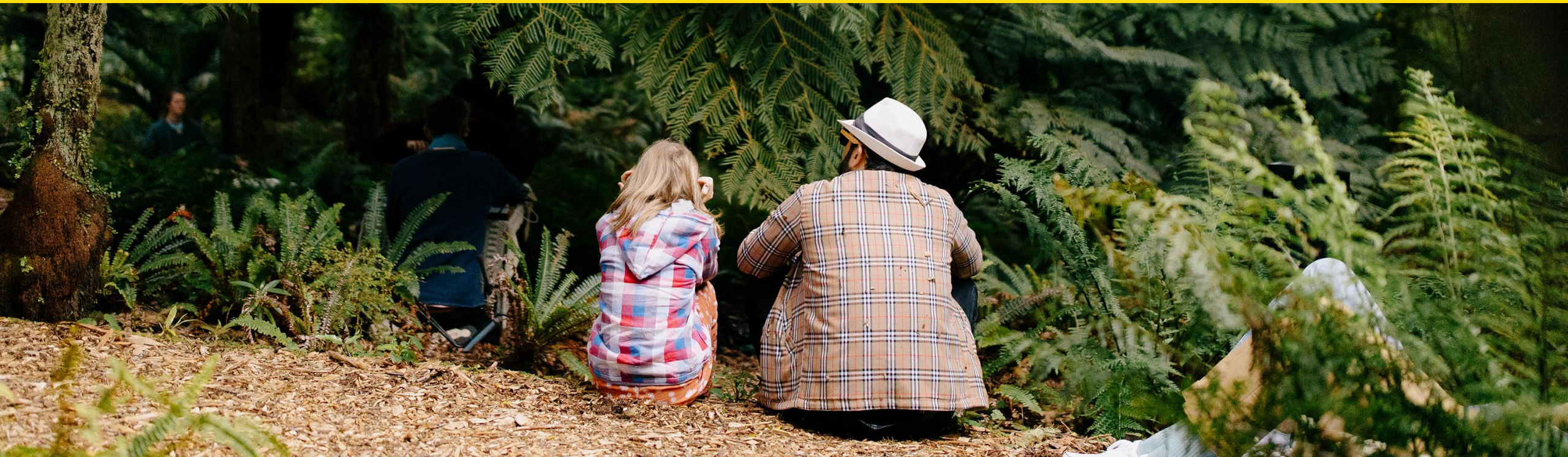
# Key matters considered

- The identification of SNAs in private land and resulting effect of planning restrictions.
- How the NPS-IB should be implemented.
- How indigenous biodiversity outside of SNAs should be managed.



# Ecosystems and Indigenous Biodiversity chapter

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# **Recommendations consistent with the notified PDP**

## **No SNAs on privately owned residentially zoned land**

- Natural justice concerns.
- Amendment Act curtails identification regardless.
- Evidence does not suggest Wellington is in a biodiversity crisis.
- Not reasonably practicable to introduce residential SNAs through process.



# Key changes recommended by the IHP

## 'Tightening up' of policy framework

- Required to implement NPS-IB.
- Removal of 'Effects Management Hierarchy' (EMH) as default pathway.
- General requirement to 'avoid' a wide range of adverse effects.
- Specified new uses and development still able to use EMH.

# Key changes recommended by the IHP

## Changes to rule framework

- Simplified rule framework – Permitted or Discretionary consent.
- Removal of permitted clearance for new development.
  - WCC tracks, new fencing - require discretionary resource consent.
- Addition of permitted clearance, subject to limits.
  - Create a firebreak from buildings, exclude stock from waterways, operate and maintain quarries, buildings.

# **Key changes recommended by the IHP**

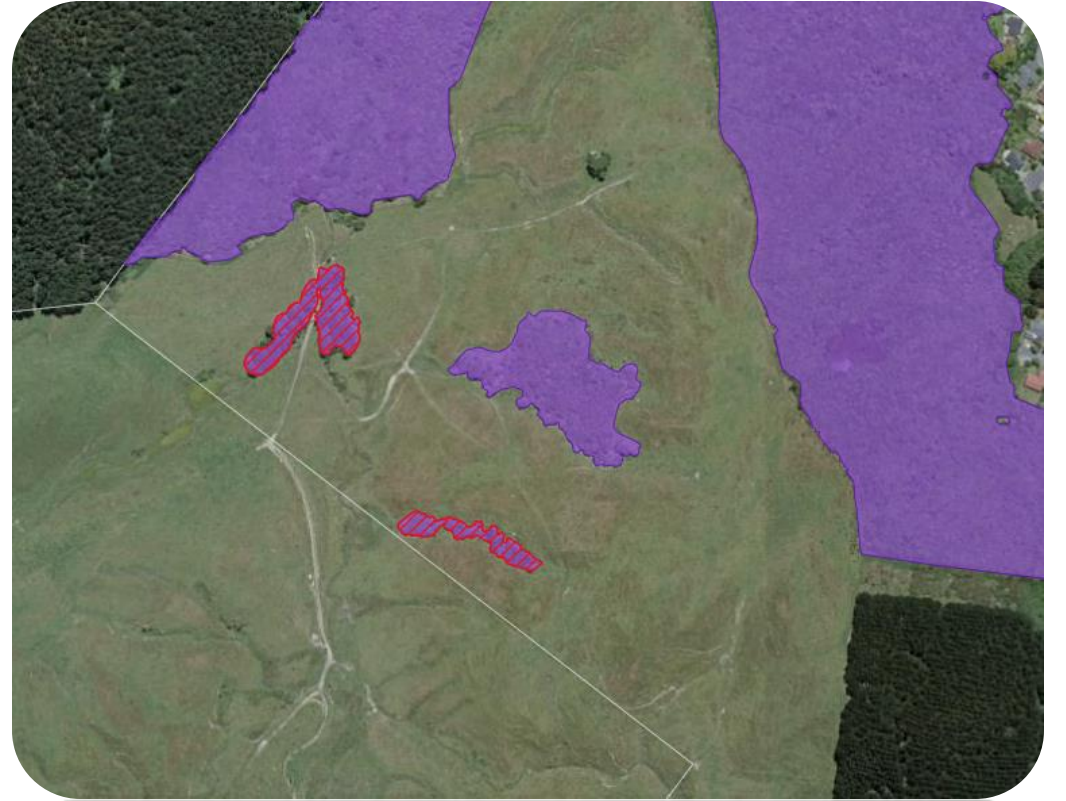
## **New direction - Manage indigenous biodiversity broadly**

- Implementation of NPS-IB
- 'Effects Management Hierarchy' for significant effects.
- Relevant for a discretionary or non-complying resource consent.
- Rule not recommended - Natural justice concerns and housing development capacity implications.

# Key changes recommended by the IHP

## Changes to mapped areas

- Changes to **ten** SNAs in response to submissions and site visits requested.
- Areas of SNA removed in Long Gully, Lincolnshire Farm, Upper Stebbings, Moa Point, Lyall Bay, Horokiwi Quarry, South Karori Road and Carey's Gully.





# Infrastructure - Ecosystems & Indigenous Biodiversity Chapter

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# **INF-ECO: Key changes recommended by the IHP**

## **Alignment with NPS-IB and RPS-PC1 direction**

- Narrower and more specific pathway for infrastructure.

## **Removal of National Grid content from INF-ECO**

- Separate standalone chapter, recognises exclusion from NPS-IB.



# Future work recommended and next steps

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# **Future work recommended by the IHP**

## **SNAs on residentially zoned land**

- NPS-IB does not provide any exceptions.
- Needs to consider competing directions of the NPS-UD and NPS-IB.
- Identification would not have impact until after 2027 (due to RMA Amendment Act).

# **Future work recommended by the IHP**

## **Management of indigenous biodiversity outside of SNAs**

- Consider comprehensively having regard to competing directions of NPS-UD.

## **Reasonable use of rural land**

- Whether effect of identifying SNAs and applying planning provisions deprives the ability of landowners to make reasonable use of land.
- Competing planning provisions in General Rural Zone.

# Next steps

## Appeals

- Likely, from both advocates and opponents.

## RPS Change One appeal resolution

- Will influence PDP appeals received.
- May require a district plan change to achieve alignment.

## Te Ao Māori plan change

- IHP recommendations do not fulfil requirements to engage Māori
- Te Ao Māori plan change can be a vehicle to work with iwi.



# Reform

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# Reform



Resource Management



Local Government  
(Infrastructure Funding)

Public Works Act

Land Transport (time of use  
charging)



# Amendments

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# RMA reform

## Appeals

- Likely, from both advocates and opponents.

## RPS Change One appeal resolution

- Will influence PDP appeals received.
- May require a district plan change to achieve alignment.

## Te Ao Māori plan change

- IHP recommendations do not fulfil requirements to engage Māori
- Te Ao Māori plan change can be a vehicle to work with iwi.

# Thank you