

**Submission from the Wellington City Council on the
Proposed National Policy Statement for Indigenous
Biodiversity**

Submission to: Ministry for the Environment
Land and Water Management Team
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Submission on: Proposed National Policy Statement for
Indigenous Biodiversity

From: Wellington City Council
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1. Introduction

- 1.1 The Wellington City Council ('the Council') welcomes the opportunity to comment on the Proposed National Policy Statement for Indigenous Biodiversity

2. General Comments

- 2.1 Overall the Wellington City Council (the Council) supports the majority of the policies in the proposed National Policy Statement for Indigenous Biodiversity (NPS) but it wishes to raise a number of issues about how it will be implemented and how it will work in practice. Specifically the Council wishes to raise a number of concerns about the robustness of Policy 5.
- 2.2 The Council considers that the proposed NPS provides a national framework for the work it has already undertaken on indigenous biodiversity within Wellington City and further will provide a basis to undertake additional work through the district plan process.

3. Specific Comments on Individual Policies and Definitions

3.1 Policy 1: Defining significant areas and habitats for the purpose of the NPS

The Council supports this policy.

3.2 Policy 2: Criteria for identifying significant indigenous vegetation and the significant habitat of indigenous fauna

The Council generally supports this policy but seeks minor amendments for clarification in order to achieve a more realistic outcome.

The policy has the potential to require areas of exotic vegetation to be protected where these contain the habitats of threatened or at risk species and overall this concept is not opposed. However the policy as it is currently written could potentially require blanket protection of all these areas and this may be an unrealistic outcome.

For example within Wellington City, Kaka (an endangered species) are spreading throughout the City and using a wide variety of native and exotic habitat. Policy 2 would imply that all indigenous and exotic ecosystems where the Kaka is found need to be 'identified as significant natural vegetation'.

It is considered that this outcome may be unachievable and therefore the wording of the policy should be modified to clarify that protection is only necessary for areas needed to maintain that biodiversity. It is noted that Policy 6 already addresses the issue of maintaining biodiversity outside 'areas of significant vegetation and significant habitat of indigenous fauna'.

Amend Policy 2 as follows, or use other words to like effect (proposed new wording underlined):

In considering the effects of any matter, local authorities shall, in addition to any area of significant natural vegetation or a significant habitat of indigenous fauna identified in, or by, provisions of any relevant regional policy statement, or regional or district plan, regard the following as significant natural vegetation or significant habitat of indigenous fauna:

- (a) the originally rare ecosystems types listed in Schedule One;*
- (b) indigenous vegetation associated with sand dunes;*
- (c) indigenous vegetation associated with wetlands;*
- (d) land environments, defined by Land Environments of New Zealand at Level Iv (2003), that have 20 percent or less remaining in indigenous vegetation cover; and*
- (e) habitats of threatened and at risk species important for the maintenance of indigenous biodiversity.*

3.3 Policy 3: Including criteria in regional policy statements

The Council supports this policy

3.4 Policy 4: Identifying areas and habitats in district plans

The Council supports this policy.

3.5 Policy 5: Management effects to achieve no net loss

Policy 5 establishes the obligation for local authorities to manage the effects of resource use to achieve 'no net loss' in biodiversity values within significant areas and habitats. Policy 5 introduces the concept of 'off-setting' into the planning process and provides opportunity for ecological enhancement and restoration activities off site.

'No net loss' is a new concept introduced by the NPS, however given the national situation of on-going biodiversity decline it is questionable that 'no net loss' is an appropriate bottom line. The concept of 'no net loss' has the potential to act as a disincentive for the protection and restoration of indigenous biodiversity. In addition the policy does not define the geographical extent of 'no net loss' and it is currently unclear whether 'no net loss' is meant at a national, regional, district or catchment scale. Substantial monitoring would be required to be confident that 'no net loss' is achieved and few Council's will have the resources to undertake this.

While the concept of 'off setting' is not new its application is still developing and it is not clear whether the outcomes sought in the policy can be realistically achieved. In particular, the principles for considering a biodiversity offset in the proposed NPS is a 'like for like or better' approach. It is difficult to see how this can be achieved by replanting in circumstances where it has taken hundreds of years to create a particular ecosystem. The bottom-line significance assessment as outlined in Policy 2 of the NPS is based on national priorities for protection. If these are national priorities, and the core role of the NPS is to prevent habitat destruction it is difficult to see how any off-setting will result in their protection.

The Policy needs to be clear about the value of the offset and ensure that the quantification of that value is the same across territorial boundaries. In

order to achieve consistency across territorial boundaries the NPS should specify the methodology for determining the value of the offset.

The Policy appears to require that the place of loss and the place of offset must both be within 'areas of significant vegetation or significant habitats of indigenous fauna'. However, as areas of significant vegetation or significant habitat are areas which, by their definition, have high biodiversity values there will be little scope for 'offsetting' by increasing the biodiversity values in these places. It is considered that offsetting should be able to occur outside areas of significant vegetation or significant habitats e.g. establishing ecological corridors, establishing buffer zones and securing migratory routes.

Active conservation management (replanting, pest control, reintroduction of species) is a major means of maintaining and increasing biodiversity in New Zealand and could be used as a tool to provide for offsetting in the above circumstances. The policy should explicitly provide for this.

WCC seeks that Policy 5 be significantly amended and do not support the Policy in its current form. WCC considers that the Policy needs to be more robust and that this may require further research and clarification. However, WCC considers that any potential issues with this policy should not be used as a reason for delaying the implementation of the NPS.

The Council requests that the policy be:

- redrafted to clarify the geographical extent of 'no net loss';
- redrafted to clarify monitoring requirements and obligations to ensure that 'no net loss' is being achieved;
- redrafted to provide clear methodology to determine the value of the offset to ensure consistency across territorial authority boundaries;
- reconsidered in the context of the national priorities for protection, and perhaps applied to other areas assessed as significant by local Council's; and
- redrafted to provide for active conservation management as a mechanism to offset biodiversity.

3.6 Policy 6: Supporting maintenance and enhancement of biodiversity

The Council supports this policy.

3.7 Policy 7: Tangata Whenua

The Council supports this policy.

3.8 Policy 8: Consultation

The Council supports this policy.

3.9 Definitions:

Indigenous Species: many indigenous plants have been planted away from their natural environment and range. Some are invasive and have

become significant weeds in indigenous vegetation. Plants and animals outside their natural environments are better described as 'native species'.

The Council requests that the definition be amended to state:

'...means a species or genetic variant found naturally in a place or locality in New Zealand...

Indigenous Vegetation: many indigenous plants have been planted outside their natural range. Some are invasive and have become major weeds in indigenous vegetation (for example in Wellington Karo, karaka and Psuedopanax Lessonii hybrids).

The Council request the definition of be amend to state:

"..means any local indigenous plant community through the course of its growth or succession consisting primarily of indigenous species and habitats...

On behalf of Wellington City Council

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