



Section 32 Report

Indigenous ecosystems

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1. Introduction

This report presents the Section 32 evaluation in accordance with the Resource Management Act 1991, “Consideration of alternatives benefits and costs” for the proposed Regional Policy Statement on the topic of indigenous ecosystems. Section 32 states:

32 *Consideration of alternatives, benefits, and costs*

(1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—

.....

(c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or

(3) An evaluation must examine—

(a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and

(b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

....

(4) For the purposes of [[the examinations referred to in subsections (3) and (3A)]], an evaluation must take into account—

(a) the benefits and costs of policies, rules, or other methods; and

(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

(5) The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.

(6) The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

1.1 Structure of this report

Section 2 of this report outlines the regionally significant issues identified and the process of identification.

Section 3 outlines the objectives proposed in response to each issue and evaluates the appropriateness of each objective in accordance with the Resource Management Act.

Section 4 evaluates the appropriateness of the policy and method options proposed to achieve the objective. When evaluating the policy and method options, the range of options available is outlined first, and then each option is evaluated. There are four types of options discussed in each instance. These are:

(a) Regulatory direction to district and/or regional plans

This is where a regional policy directs matters that must be provided for within district and/or regional plans. The method sets out when the provisions are to be included.

(b) Regulatory direction as to matters to be given particular regard in resource management decision making

This is where a regional policy sets out specific matters that are to be given “particular regard” when making resource management decisions. The method sets out when these matters are to be considered. This may include resource consent decisions, decisions on notices of requirements or when making decisions about reviewing, varying, replacing or otherwise changing district and/or regional plans.

(c) Non-regulatory options

This is where a regional policy and a method specifies non-regulatory programmes or action that will be put in place. The non regulatory methods include:

- provision of information or guidance
- integrating management
- identification or investigation
- providing support.

(d) Doing nothing

This is where no intervention, either regulatory or non-regulatory will occur.

Determining the most appropriate policies and methods is based on an assessment of the *effectiveness* and *efficiency* of the policy and method options, and the risks of acting or not acting when there is uncertain or insufficient information.

Effectiveness is a measure of how much influence a resource management intervention has or how successful it is in addressing the issues, in terms of achieving the desired environmental outcome. Effectiveness is a cumulative value, derived from the range of types and scope of influences or impacts of an intervention, towards achieving intended results and environmental outcomes. The effectiveness of an option is not able to be assessed as an absolute value. Rather, options are appraised as to whether they exhibit the

qualities which contribute to ‘effectiveness’ and to what degree, and a determination is made as to the sum of the pertinent attributes in terms of high, medium or low ‘effectiveness’.

When evaluating the *efficiency* of the policy and method options both the benefits (social, economic and environmental) and costs (social, economic and environmental) are outlined. Each option is then deemed to be either efficient or inefficient. The following diagram outlines how this assessment is undertaken.

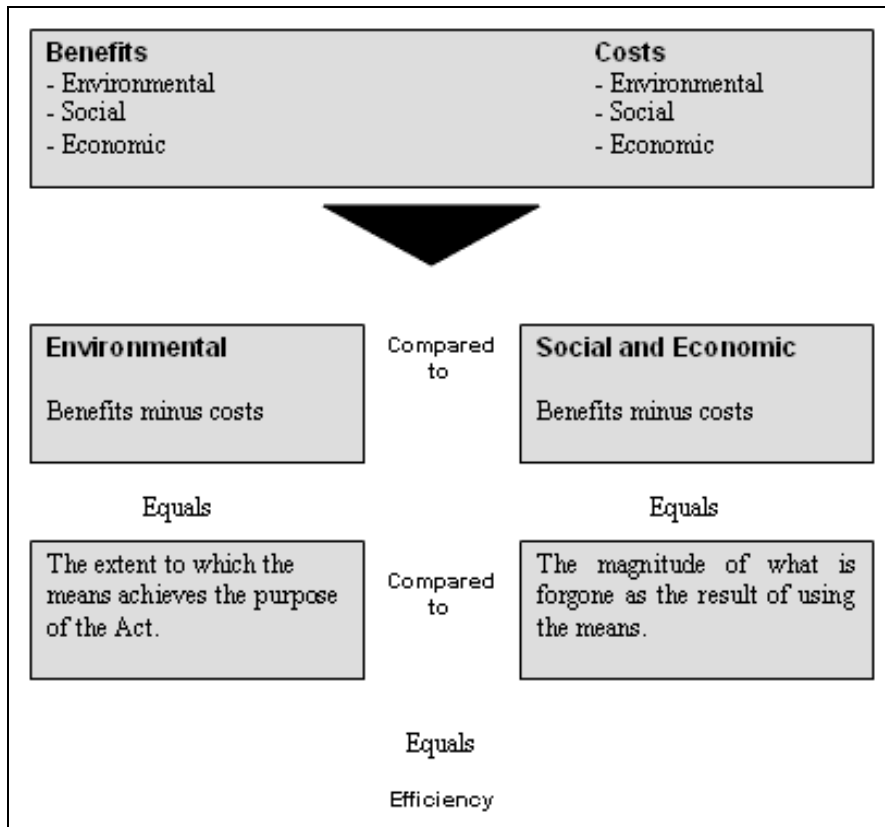


Figure 1: Deriving efficiency from benefits and costs

The evaluation of ‘efficiency’ will result in either a positive or negative result in terms of efficiency. Alternatively, if efficiency is expressed as a cost/benefit ratio, it will be either greater than or less than 1. In the event the ratio is considered to be less than 1, the option can be considered efficient, in that the sum of the benefits outweigh the sum of the costs. In the event the ratio is deemed to be greater than 1, the option can be considered to be inefficient, in that the sum of the costs outweigh the sum of the benefits. It is important to note that in this evaluation of ‘efficiency’, absolute values for each of the variables considered pertinent (i.e. identified as either a cost or a benefit within the evaluation of the options) are not available. Rather, the analysis has endeavoured to present an accurate appraisal of the relative costs and benefits between the options, in order to determine which are efficient and which are not. A simple yes or no is used to differentiate the options as efficient or inefficient.

2. Regionally significant issues

As part of the review of the ecosystems chapter, in the Regional Policy Statement for the Wellington Region 1995, the issues were evaluated and reviewed using:

- Measuring up: The state of the environment report for the Wellington region (2005) and the Ecosystems background report (2005)
- Regional Policy Statement Evaluation Report for Ecosystems (2006)
- Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region (2006)
- Criteria to ensure the issues were regionally significant, were ‘resource management’ matters and appropriate for inclusion in the Regional Policy Statement (see Appendix 2 for a copy of the criteria).

The resulting issues recommended for inclusion in the proposed Regional Policy Statement on indigenous ecosystems are:

Issue 1: The region’s indigenous ecosystems are reduced in extent

The region’s indigenous ecosystems have been significantly reduced in extent, specifically:

- (a) wetlands
- (b) lowland forests
- (c) lowland streams
- (d) coastal dunes and escarpments
- (e) estuaries
- (f) eastern “dry land” forests

Issue 2: The region’s remaining indigenous ecosystems are under threat

The region’s remaining indigenous ecosystems continue to be degraded and lost.

3. Extent to which the objective is the most appropriate

The proposed indigenous ecosystems objective is:

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

To follow is an outline of the extent to which the indigenous ecosystems objective is the most appropriate way to achieve the purpose of the Resource Management Act.

3.1 Objective 16

- Objective 16 addresses the regionally significant issues that indigenous ecosystems are significantly reduced in extent, continue to be lost and many are degraded such that they have ceased to function properly. The state of the environment report, Measuring up (2005) noted that many of the region's ecosystems are significantly diminished and that further loss cannot be afforded. It also noted that ecological processes in many places are impaired as a result of fragmentation and the impacts of pest plants and animals.
- Comments in response to Our region – their future (2006) expressed concern about the continued loss of the region's indigenous ecosystems and the on-going impact of pest plants and animals on the viability of remaining ecosystems.
- The Regional Policy Statement Evaluation Report for Indigenous Ecosystems (2006) identified that many of the region's most depleted indigenous ecosystems are poorly protected and in need of active management such as pest control.
- Objective 16 meets the purpose of the Resource Management Act (in section 5); by seeking to sustainably manage indigenous ecosystems. The purpose recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life-supporting capacity and avoiding, remedying and mitigating adverse effects on the environment.
- Greater Wellington is required, in Part II of the Resource Management Act, to recognise and provide for the following as a matter of national importance:
 - 6(a) - The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development
 - 6(c) – The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;

And for the following matters, have particular regard to:

- 7(d) – intrinsic values of ecosystems
- 7(f) – the maintenance and enhancement of the quality of the environment.
- 7(g) - any finite characteristics of natural and physical resources.

- Relevant sub sections to Section 30 Resource Management Act “Functions of regional councils” for Objective 16 include:
 - 30(1)(a) – the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of natural and physical resources of the region
 - 30(1)(b) – the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance
 - 30(1)(c)(iiia) – the maintenance and enhancement of ecosystems in water bodies and coastal water
 - 30(1)(ga) - the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity
- Objective 16 is consistent with the New Zealand Biodiversity Strategy (2000) and the National Priorities for Protecting Rare and Threatened Native Biodiversity on Private Land (2007). Both of these non-statutory national strategies seek to have the most significant remaining indigenous ecosystems and habitats protected and enhanced.
- Policies in the New Zealand Coastal Policy Statement (1994) relevant to Objective 16 include:

Policy 1.1.1(b) - It is a national priority to preserve the natural character of the coastal environment by....taking into account the potential effects of subdivision, use and development on the values relating to the natural character of the coastal environment, both within and outside the immediate location...

Policy 1.1.2 - It is a national priority for the preservation of the natural character of the coastal environment to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna in that environment by...

On this basis of the above, objective 16 is the most appropriate for achieving the purpose of the Resource Management Act.

3.2 Analysis of which are the most appropriate objectives

Final chosen objective	Other alternatives?	Why <u>not</u> the most appropriate to achieve the Resource Management Act
<p>Objective 16. Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.</p>	<p>Alternative 1. No objective in regional policy statement on indigenous biodiversity. Management objectives left to individual city and district councils.</p> <p>Alternative 2. Retain the objectives in the existing 1995 Regional Policy Statement which seek that:</p> <p><i>The overall quality of ecosystems increases (Objective 1);</i></p> <p><i>Healthy, functioning ecosystems are distributed throughout the region (Objective 2);</i></p> <p><i>The area and quality of indigenous ecosystems increases (Objective 3);</i></p> <p><i>There is a diversity of ecosystems representative of the full range of flora, fauna and habitats (Objective 4) and</i></p> <p><i>Special ecosystems are protected and managed (Objective 5)</i></p> <p>Alternative 3. Include an objective that seeks the protection and enhancement of <u>all</u> indigenous ecosystems in the region</p> <p>Alternative 4. Identify and protect ecosystems and habitats with significant biodiversity value</p>	<p>Alternative 1 is not the most appropriate option as the regional policy statement would not play a role in providing direction on promoting the maintenance and restoration of indigenous ecosystems.</p> <p>Alternative 2 is not the most appropriate option as these objectives where assessed as part of the review of the Regional Policy Statement to be unspecific and, in some cases, unachievable. There was also some repetition among them.</p> <p>Alternative 3 is not the most appropriate option as Section 6(c) of the Resource Management Act requires provision for the “protection of areas of significant indigenous vegetation significant habitats of indigenous fauna” .</p> <p>Alternative 4 includes matters which are better dealt with as policy responses to achieve the preferred objective. Identification and protection are able to be treated as a subset of the means (responses) possible in seeking to maintain and enhance ecosystems and habitats.</p>

Table 1: Analysis of which are the most appropriate objectives

4. Evaluation of policies and methods to achieve Objective 16

The appropriateness of the policies and methods to achieve Objective 16 are evaluated by looking at the effectiveness and the efficiency of the policy and method options and the risks of acting or not acting if there is uncertain or insufficient information.

4.1 The range of policy and method options considered

Objective 16 seeks to ensure that indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. That is, whether it can be best achieved through regulatory direction to plans, or through regulatory direction as to matters to be considered when making resource management decisions, or through non-regulatory programs, or by doing nothing.

4.1.1 Regulatory direction to district and/or regional plans

Option 1 – Direction to district and regional plans to identify ecosystems and habitats with significant indigenous biodiversity values

This option requires the identification, in regional and district plans, of ecosystems and habitats with significant indigenous biodiversity values using specified criteria.

Option 2 – Direction to district and regional plans to identify all indigenous ecosystems and habitats

This option requires the identification of all indigenous ecosystems and habitats in district and regional plans.

Option 3 – Direction to district and regional plans to protect indigenous ecosystems and habitats with significant indigenous biodiversity values

This option requires district and regional plans to protect ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development.

4.1.2 Regulatory direction as to matters to be given particular regard in resource management decision making

Option 4 – Consider adverse effects on ecosystems and habitats with significant indigenous biodiversity values

This option requires local authorities to have particular regard to specified matters in order to manage effects on ecosystems and habitats with significant indigenous biodiversity values when making resource management decisions.

4.1.3 Non-regulatory options

Option 5 – Information to assist with identifying ecosystems and habitats with significant indigenous biodiversity value

This option is to provide information and guidance to help interpret specified criteria for the identification of ecosystems and habitats with significant indigenous biodiversity values.

Option 6 – Engage tangata whenua and the community in identifying and protecting ecosystems and habitats with significant indigenous biodiversity values

This approach is to include tangata whenua and the community in the identification and protection of ecosystems and habitats with significant indigenous biodiversity values.

Option 7 – Information and guidance on techniques to maintain and enhance ecosystems and habitats with indigenous biodiversity values

This approach is to prepare and disseminate information about the importance of ecosystems and habitats with significant indigenous biodiversity values, and the range of techniques to maintain and enhance these ecosystems - such as pest control, restoration approaches, revegetation and legal protection.

Option 8 – Whole of catchment management approach

This option is to work with and encourage agencies that undertake works and operations to ensure the principles of whole of catchment management are taken into account and applied.

Option 9 – Assist landowners to maintain, enhance and restore ecosystems and habitats with indigenous biodiversity values.

This approach is to use incentives - such as grants, subsidies and rate relief – and to otherwise support voluntary actions that maintain, enhance or restore ecosystems and habitats with indigenous biodiversity value to a healthy functioning state.

4.1.4 Doing nothing

Option 10 – No intervention

In this option there is no intervention to promote that ecosystems and habitats with significant indigenous biodiversity value are maintained and restored to a healthy functioning state.

4.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 16

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1</p> <p>Direction to district and regional plans to identify ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Establishes a regionally consistent set of criteria for identifying ecosystems and habitats with significant indigenous biodiversity values and requires all plans to implement the policy..</p> <p>Sets out a clear direction for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values and the relevant matters to be considered in determining 'significance'.</p> <p>Provides certainty about the location of indigenous ecosystems and habitats with significant indigenous biodiversity values for both property owners and the community, including tangata whenua.</p> <p>Increases understanding of relevant criteria to consider when evaluating significance of indigenous ecosystems and habitats.</p> <p>Directly targets 'significant' biodiversity values, as a focus of planning interventions.</p> <p>Increased ability for people to critique plan provisions through application of the relevant criteria when evaluating ecosystems and habitats.</p> <p>More streamlined consent processes for applications to modify indigenous ecosystems and habitats with significant indigenous biodiversity because a full and comprehensive understanding of the</p>	High	<p>Decisions about what to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>All relevant parties must work together to identify ecosystems and habitats with significant indigenous biodiversity values, leading to improved social and environmental outcomes.</p> <p>In some instances, economic benefits will occur through better understanding and appreciation of ecosystem and habitat values, as well as the identification of precise locations allowing that financial and other assistance (to maintain and protect these values) can be targeted.</p> <p>Establishes clear parameters for identifying ecosystems and habitats with significant indigenous biodiversity values, and the criteria that will assist local authorities to identify these values.</p> <p>Provides information for the community, including tangata whenua, about what is to be considered when identifying ecosystems and habitats with significant indigenous biodiversity values. Clarification helps to expedite the process.</p>	<p>Costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify ecosystems and habitats with significant indigenous biodiversity values in plans. Social and/or economic costs may be associated with specifying precise locations with ecosystems and habitats with significant indigenous biodiversity values, which might fall upon individuals. However, such costs are transparent.</p> <p>The policy will have a staggered roll out across the region, as different planning timeframes apply around the region, so responses to the requirements will be at different times.</p>	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>values associated with these ecosystems and habitats is available.</p> <p>The ability to interpret and thus to implement criteria in a consistent and straight forward way that has been developed by qualified professionals</p> <p>Predictability would be enhanced, as the criteria outline the pertinent matters associated with identification of significant biodiversity values. This in turn, increases certainty and transparency within the process of identifying and appraising values.</p>		<p>Provides certainty for all interested parties.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals as the indigenous biodiversity values would already be identified.</p> <p>Increases transparency about how indigenous ecosystems and habitats with significant indigenous biodiversity values are identified.</p> <p>Reduces conflict or debate over what factors to consider when determining the values of ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Flexible timing as to when this option needs to be given effect provides an ability to align with other required processes, to better manage resources and the costs associated with implementation. Flexible timing also allows for improved collaboration with Greater Wellington and other territorial authorities.</p>		
<p>Option 2</p> <p>Direction to district and regional plans to identify all indigenous ecosystems and</p>	<p>Establishes a regionally consistent approach to identify all indigenous ecosystems and habitats.</p> <p>Sets out a clear direction to identify indigenous ecosystems and habitats It would provide clarity about the location of all indigenous ecosystems and habitats.</p>	Med	<p>Decisions about what to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>All relevant parties must work together to identify indigenous ecosystems and habitats, resulting in improved social</p>	<p>There are high social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify all indigenous ecosystems and habitats in plans.</p> <p>Social and/or economic costs may be</p>	No

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
habitats	<p>If fully implemented, this option would result in certainty about the values associated with all identified indigenous ecosystems and habitats for both property owners and the community.</p> <p>With clear statements of indigenous ecosystem and habitats value, consent processes to modify identified indigenous ecosystems and habitats should be more streamlined.</p> <p>This option is less targeted, to achieve the requirement of section 6 (in the Resource Management Act), in that it would not focus only on 'significant' values, but provide for the identification of all remaining indigenous ecosystems and habitats within the region. It is likely few ecosystems and habitats remain unmodified, and it would introduce difficulty in having to delineate between modified (less indigenous) and relatively unmodified (more indigenous) ecosystems and habitats.</p> <p>Not providing criteria to aid in the evaluation or identification of significant biodiversity values would reduce predictability and certainty within the process of identification.</p> <p>Effectiveness would not be immediate as changes to district and regional plans would not be required until the next plan review.</p> <p>The criteria are easy to interpret and thus to implement, and have been tested in the field by a qualified professional.</p>		<p>and environmental outcomes. In some instances, economic benefits could occur through better appreciation of indigenous ecosystem and habitats values.</p> <p>Establishes parameters for identifying indigenous ecosystems and habitats, and the criteria will assist local authorities to identify all indigenous ecosystems and habitats.</p> <p>Provides information for the community, including tangata whenua, about what is to be considered when identifying indigenous ecosystems and habitats. Clarification helps to expedite the process.</p> <p>Provides certainty for all interested parties.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals on indigenous ecosystem and habitat values as these values would already be identified.</p> <p>Increases transparency about the values associated with identified indigenous ecosystems and habitats.</p> <p>Improves consistency, as criteria act as a standard allowing all indigenous ecosystems and habitats to be evaluated in the same way.</p> <p>Flexible timing for giving effect provides an ability to align with other</p>	<p>associated with identifying and specifying precise locations of indigenous ecosystems and habitats, which might fall upon individuals. However, such costs are transparent.</p> <p>The policy will have a staggered roll-out across the region, as different planning timeframes apply around the region, so responses to the requirements will be at different times.</p> <p>There would be a need to define what constitutes 'indigenous' ecosystems and/or habitats as many ecosystems and habitats have been subject to some degree of modification or human influence.</p>	

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>Option 3</p> <p>Direction to district and regional plans to protect ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Establishes a consistent regional policy framework that requires all pertinent plans to apply the same specific principles.</p> <p>Sets out a clear direction for regulatory provisions, both in intent and in terms of the parameters considered relevant in further development of the planning framework.</p> <p>Consistency and clarity promote greater certainty for individual applicants, the community of interested parties and for councils.</p> <p>Increases understanding of relevant factors to consider when protecting ecosystems and habitats with significant indigenous biodiversity values.</p> <p>Adverse effects arising from particular activities are able to be attributed to specific prompts and avoided. The relationship between causes and effects within resource management activity are able to be explained and are observable.</p> <p>Effectiveness would not be immediate as changes to district and regional plans would not be required until the next plan review.</p> <p>The provisions are targeted to influence activities affecting ecosystems and habitats with significant indigenous</p>	<p>High</p>	<p>required processes, to better manage resources and costs associated with implementation, and to improve collaboration with Greater Wellington and other territorial authorities.</p> <p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>Establishes a clear intent for the regulatory interventions and the key parameters pertinent to further development of resource management solutions are identified—this assists local authorities in establishing local regulatory frameworks.</p> <p>Provides information about what are the important considerations when designing proposals for subdivision, use and/or development of ecosystems and habitats with significant indigenous biodiversity values. Clarification helps to expedite the statutory processes.</p> <p>Reduces resources required by applicants to interpret what is required and why, and to achieve compliance with the regulatory framework.</p> <p>Provides greater certainty for all interested parties.</p> <p>Increases clarity as to what are the prompts or triggers for regulatory intervention, and of the likely planning responses, provides greater transparency within the process.</p>	<p>There are human and economic resource costs for councils and communities, associated with research, analysis, interpretation, consultation, governance and decision making processes to formulate and establish the consequent regulatory frameworks, which must implement the regional policy statement.</p> <p>On-going costs for councils to implement, monitor compliance, take enforcement action, monitor delivery and monitor evaluation of the effectiveness of the intervention.</p> <p>The information required in association with new activities, and the type of interventions likely, may bring additional cost.</p> <p>High social and/or economic costs may be associated with 'protecting' indigenous biodiversity values as specific locations affected by this policy, which might fall upon individuals. However, such costs are transparent. Could act as a disincentive or discouragement to innovation, which has the potential to derive alternative solutions to regulatory intervention.</p> <p>If the cause and effect relationship is direct and clear, then the costs of any</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	biodiversity values.		<p>Transparency, in turn, increases equity in both developing and thence implementing regulatory planning provisions.</p> <p>Increases consistency, as it acts as a standard, allowing proposals to be measured or benchmarked against each other, in terms of likely effects and responses.</p> <p>The causative influences within the process are clearly established, in that causes (types of effects) and effects (types of regulatory responses) are clearly outlined. Increases transparency as to what is required and why, helping to reduce time, money and other resources expended on process.</p> <p>Provides local authorities with the ability to signal what subdivision, use and development possibilities and opportunities exist across the region as well as what restrictions apply.</p>	<p>remedy are able to be attached directly to specific activities or effects and so are likely to be charged to individuals, rather than to the community at large.</p> <p>However, such costs are able to be offset by demonstrable environmental benefits. This enhances the potential to target assistance for protection. If ecosystems and habitats with significant indigenous biodiversity values are not well identified, there may be inequitable application of protection mechanisms, which can lead to non-compliance issues.</p>	
Regulatory direction as to the matters to be given particular regard in resource management decision making					
<p>Option 4</p> <p>Consider adverse effects on ecosystems and habitats with significant indigenous</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to</p>	<p>Med</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
<p>biodiversity values</p> <p>be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent. Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p> <p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for in the decision.</p> <p>The effects (planning responses) are able to be attributed to specific matters which act as prompts, triggers or conditions (the causes)—so that the relationship between an activity's effects (causes) and resource management response (effects) is more clearly established.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it</p>		<p>implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent and what is not, to considerations.</p> <p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p> <p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and so a rationale as to how treated within the decision is available. This improves transparency in the process, which further informs and guides future proposals (which prompt the need for consideration), and thus improves the ability to develop tailor made solutions or responses, and to learn and adapt future solutions over time.</p> <p>Being able to identify the concerns and likely responses allows solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop, towards</p>	<p>decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p> <p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p> <p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Individual proposals or applications act as pilots or trial as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications</p>		

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p>		<p>addressing the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion, innovation within the response to matters, on a case by case basis.</p>	<p>during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p>	
Non regulatory options					
<p>Option 5</p> <p>Information to assist with identifying ecosystems and habitats with significant indigenous biodiversity value</p>	<p>Provides communities and developers with information to assist with understanding and recognising values, and to assist in formulating proposals that avoid, remedy or mitigate effects on them.</p> <p>Provides information that will assist the implementation of regulatory options 1, 3, and 4, above)</p> <p>Information is able to be very purposeful and targeted to meet specific needs and/or audiences, as are education programmes. Information for local authorities to assist in developing their regulatory planning response to the issue can be very different to information for potential developers or the community.</p>	Med	<p>Local authorities are assisted in the performance of their functions under the Resource Management Act, as preparing information at the regional level is able to provide a platform for agreeing about interpretation and application of criteria associated with identification and protection mechanisms.</p> <p>Communities and developers are better informed about how to identify ecosystems and habitats with significant indigenous biodiversity values and about their locations.</p> <p>The response to 'information' is voluntary and at the discretion of the recipient. The timing of reacting to information is able to be suit the recipient. Providing support (through provision of information) stimulates</p>	<p>Cost of preparing and distributing information on identifying indigenous ecosystems and habitats with significant biodiversity value restoration and enhancement of water bodies. Potential environmental costs because of a lesser compulsion and perhaps commitment to get things done.</p>	Yes

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>private effort and commitment, such as influencing the design of proposals so these avoid, remedy or mitigate adverse effects upon indigenous biodiversity values.</p> <p>Increase in community appreciation of values can contribute to a greater involvement in and commitment to protecting them.</p>		
<p>Option 6</p> <p>Engage tangata whenua and the community in identifying and protecting ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Provides comprehensive and better identification of values if the community and tangata whenua are part of or engaged in the process.</p> <p>Increased buy in for protection initiatives if the community and tangata whenua are part of the identification process and protection efforts</p>	<p>High</p>	<p>Greater community and tangata whenua support for protection</p> <p>Stronger local communities</p> <p>Benefit of buy-in, acceptance and ownership by the community and tangata whenua.</p> <p>Possible community and tangata whenua input into compliance and enforcement monitoring and in voluntary improvement works.</p>	<p>Costs of consultation with tangata whenua and communities</p> <p>Community resources that are put into protecting ecosystems and habitats with significant indigenous biodiversity values</p> <p>Potential environmental costs because of a lesser compulsion and perhaps commitment to get things done.</p>	<p>Yes</p>
<p>Option 7</p> <p>Information and guidance on techniques to maintain and enhance ecosystems and habitats with indigenous</p>	<p>Provides communities with comprehensive and better information and guidance about how to maintain and enhance indigenous ecosystems.</p> <p>Assists restoration efforts and engendering interest in restoration.</p> <p>A considerable body of "field-tested" knowledge will become available</p>	<p>Med</p>	<p>Communities are better informed about how to maintain and enhance indigenous ecosystems</p> <p>Providing support (through provision of information) stimulates private effort and commitment</p> <p>Restoration and enhancement activities by people in the region</p>	<p>Cost of preparing and distributing information and guidance on techniques to maintain and enhance indigenous ecosystems</p> <p>Potential environmental costs because of a lesser compulsion and perhaps commitment to get things done.</p>	<p>Yes</p>

Policy and method options		Analysis of Effectiveness		Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
biodiversity values					achieve better results		
Option 8 Whole of catchment management approach	Provides an holistic approach to works in catchments after consideration of the wider environmental outcomes that people and communities are seeking in the catchment. Effective because the values of natural resources, including ecosystems and habitats, are recognised when planning and undertaking works, operations and services.	High	Economically efficient as financial support stimulates private effort and commitment. Addresses directly, and through voluntary 'good practice' means, some of the causes of ecosystem and habitat decline and loss. Community strengthening as a result of sharing ideas and solutions to the problem. Presents opportunity to develop long term solutions to avoid, remedy or mitigate the effects on indigenous biodiversity values within a catchment, and beyond.	Costs of processes associated with taking a whole of catchment approach that involves: consultation with others carrying out activities in the catchment; greater involvement of communities and other organisations in identifying objectives and solutions to issues, and potentially in contributing to decisions or delivery of solutions; the co-ordination of people and activities; and, development of catchment-wide plans, strategies, or protocols. Costs of learning how to implement a whole of catchment approach – lack of current experience in effective management catchment-wide.	Yes		
Option 9 Assist landowners to maintain, enhance and restore ecosystems and habitats with indigenous biodiversity values	Provides communities with practical (e.g. financial and expertise) support for enhancement and restoration initiatives Provides a catalyst to individuals and community groups to get involved in protecting and enhancing ecosystems and habitats.	Med	Financial and administrative support overcomes some of the barriers to engagement or action by individuals and groups. Support stimulates private effort and commitment to act, thereby harnessing resources in kind – principally labour and effort in undertaking the restoration or enhancement project, Individuals and community groups are valued, appreciated and supported. Voluntary contributions will add to, or	Costs of administration and providing support such as for restoration initiatives, such as materials, expert advice, transport and coordinators.	Yes		

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
			<p>exceed, the value of the incentive provided.</p> <p>Facilitates environmental work where there may not otherwise be any.</p>		
Doing Nothing					
Option 10 No intervention	<p>This is not effective in resource management terms. Nor could it be argued to be efficient, given the issue continues unabated, and presumably would get worse.</p> <p>As the issue has been found to be regionally significant (refer to criteria in Appendix 1) – this would be a dereliction of function and duty under the Resource Management Act.</p>	Low	<p>Economic costs would be saved through not having to implement policies or methods</p> <p>Local authorities are able to work with their communities to identify on a case-by-case basis which ecosystems and habits they wish to protect, and the types of intervention required – without a predetermined regional policy direction or framework restraining their discretion in performing their function under the Resource Management Act.</p>	<p>The issue will continue in the same trend or pattern, and the objective will not be achieved. Doing nothing will not achieve the purpose of the Resource Management Act.</p> <p>Social and environmental costs could be significant, and could result in reduced economic opportunities.</p>	No

Table 2: Evaluation of effectiveness and efficiency of policy and method options to achieve Objective 16

4.3 Results of evaluation as to the most appropriate policy and method options to achieve Objective 16

Policy and method options	Effectiveness	Efficient?	Selected (most appropriate) option(s)	Proposed policies and methods
Regulatory direction to district and/or regional plans				
Option 1 Direction to district and regional plans to identify indigenous ecosystems and habitats with significant indigenous biodiversity values	High	Yes	✓	Policy 22 and Methods 1 and 2
Option 2 Direction to district and regional plans to identify all indigenous ecosystems and habitats	High	No	x	
Option 3 Direction to district and regional plans to protect indigenous ecosystems and habitats with significant indigenous biodiversity values	High	Yes	✓	Policy 23 and Methods 1 and 2
Regulatory direction as to the matters to be given particular regard in resource management decision making				
Option 4 Consider adverse effects on indigenous ecosystems	High	Yes	✓	Policy 46 and Method 4
Non regulatory options				
Option 5 Information to assist with identifying indigenous ecosystems and habitats with significant biodiversity value	Med	Yes	✓	Method 21
Option 6 Involve tangata whenua and the community in identifying and protecting indigenous ecosystems and habitats with significant indigenous biodiversity values	Med	Yes	✓	Method 31

Policy and method options	Effectiveness	Efficient?	Selected (most appropriate) option(s)	Proposed policies and methods
Option 7 Information and guidance on techniques to maintain and enhance indigenous ecosystems	Med	Yes	✓	Method 12
Option 8 Whole of catchment management approach	High	Yes	✓	Method 29
Option 9 Assist landowners to maintain, enhance and restore indigenous ecosystems	Med	Yes	✓	Method 53
Doing Nothing				
Option 6 No intervention	Low	No	✗	

Table 3: Results of evaluation as to the most appropriate policy and method options to achieve Objective 16

4.4 Discussion of options

The protection of “areas of significant indigenous vegetation and significant habitats of indigenous fauna” is a matter of national importance as defined in Part II of the Resource Management Act.

In the Wellington region there has been an historic loss of ecosystems and habitats with indigenous biodiversity values and this loss is continuing. In addition, the condition of remaining areas is negatively impacted on by a range of factors such as pest plants and animals.

Collectively, having regard to their efficiency and effectiveness, a range of regulatory and non-regulatory options are appropriate to achieve objective 12 and to address issues 1 and 2.

The range includes the regulatory options 1, 3, and 4 (policies 22, 23, and 46, and methods 1, 2 and 4), and the non-regulatory options 5, 6, 7, 8 and 9 (methods 12, 29, 31 and 33) as being the most appropriate for achieving Objective 12.

Option 1 (policy 22) requires the identification of ecosystems and habitats with significant indigenous biodiversity values using a specified set of criteria while Option 3 requires the protection of these values in plans (policy 23). Option 4 gives interim protection, pending plan implementation, through a

requirement to give particular regard to specified considerations in resource management decision (policy 46).

A range of non-regulatory methods (Options 5 – 9) support these regulatory options (requirements) which are targeted at addressing issue 1, but are also considered most appropriate, in terms of effectiveness and efficiency, for addressing issue 2.

Option 2 (Identification of all indigenous ecosystems and habitats) was not selected as it does not provide local authorities with any guidance as to the relative importance of the areas identified. This option is also so all encompassing that the costs of identification and the requisite community, landowner and tangata whenua consultation would be prohibitive. In addition it is likely that there would be a degree of concern among some sectors of the community as to the eventual use of such information, including the potential to restrict unnecessarily, a landowner's ability to develop their land. This option is less effective than Option 1, as it involves a larger scale of work to evaluate and identify the indigenous character of all ecosystems and habitats in the region, for potentially little gain over and above the task involved in identifying areas with significant biodiversity values.

Option 10 (Do nothing) was assessed as not being appropriate to achieve the objective because of the high risk of further degradation of ecosystems and habitats in the region.

4.5 Risk of acting or not acting if information is uncertain or insufficient

It is fair to say that there is both uncertain and insufficient information about ecosystems and habitats with significant biodiversity values and that loss and degradation is occurring throughout the region.

The risk of acting in the way proposed is that some costs will be imposed on local authorities and applicants for resource consents, potentially for little gain in some instances.

The risk of not acting in the way proposed is that ecosystems and habitats with significant indigenous biodiversity values in the Wellington region will be inconsistently, or perhaps not identified and managed at all. At best this will mean that territorial authorities, communities and individuals will not be able always to make informed choices. At worst, there may be a continued and even accelerated rate of decline in the region's indigenous biodiversity as ecosystems and habitats are degraded or lost.

It is clear to Greater Wellington that the risk of acting is much less than the risk of not acting.

Appendix 1: Criteria used to determine regionally significant issues

The criteria used for determining whether an issue was a resource management issue of regional significance were:

- The issue was a natural or physical resource management problem.
- The issue was to be of regional significance (see further criteria below).
- The issue was about achieving the purpose of the Resource Management Act.
- The issue did not “repeat” the Resource Management Act, the New Zealand Coastal Policy Statement, any other national policy, or another issue in the Regional Policy Statement.
- The issue was explained in the context of the Wellington region.

Regional significance was determined using the following criteria

- The issue concerns a resource which is regionally significant, and the issue requires integrated management at a regional level ; and
- There is a potential shortage of the resource and resultant allocation issues; or
- There is a significant level of conflict over the resource which is either occurring or is foreseeable over the next 10 years; or
- The resource is potentially subject to significant adverse effects at a regional level; or
- There are significant issues in terms of Part 2 of the Resource Management Act which are, or are likely to, arise at a regional scale (eg maintenance and enhancement of access along waterways); or
- The community has signalled that it regards a particular issue as being of regional significance; or
- The issue is one of national significance (eg preservation of natural character) and requires regional intervention; or
- The issue is one of district significance but requires regional intervention; or
- The matter is one which a National Policy Statement or National Water Conservation Order requires to be addressed.

Appendix 2: References

Department of Conservation (1994) New Zealand Coastal Policy Statement. Wellington. ISB 0-478-01589-S

Greater Wellington Regional Council (2005) Measuring up: the state of the environment report for the Wellington region 2005. Wellington. Publication No. GW/ENV-G-05-278

Greater Wellington Regional Council (2006) Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region. Wellington. Publication No. GW/RP-G-06/83

Greater Wellington Regional Council (2006). Regional Policy Statement Evaluation Report for Ecosystems. Wellington. Publication No. GW/EP-G-09/20

Ministry for the Environment (2007) Protecting our Places – Introducing the national priorities for protecting rare and threatened native biodiversity on private land. ME799

Porteous, Tim (2005). Ecosystems – background report. Wellington. Publication No. GW/RP-T-05/305