

**EXPERT WITNESS CAUCUSSING CONFERENCE
AND JOINT WITNESS STATEMENT**

IN THE MATTER	of appeals pursuant to Clause 14 of Schedule 1 of the Resource Management Act 1991 (the Act)	
BETWEEN	Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngati Kanhungunu Iwi Incorporated Royal Forest and Bird Protection Society of New Zealand; and The Māori Trustee	ENV-2021-AKL-000104 ENV-2021-AKL-000105 ENV-2021-AKL-000106
AND	Hawke’s Bay Regional Council	

Facilitator	Commissioner Buchanan
Date	10 October 2023
Venue	Hawke’s Bay Regional Council, online

Witnesses	For
Andrew Hicks (AH)	Hawke’s Bay Regional Council
Greg Ryder (GR)	Hawke’s Bay Regional Council
John Cheyne (JC)	Royal Forest and Bird Protection Society of New Zealand

JOINT WITNESS STATEMENT

Lake Poukawa and Pekapeka

1. Experts agree the aquatic bird habitat provided by Lake Poukawa and Pekapeka Swamp meets the Council’s preferred version of the screening criteria and is outstanding in a regional context.

Ecology criteria

2. The experts recommend that “List A (a) A native aquatic bird assemblage that is regionally unique in terms of diversity, abundance, or distinctiveness” is amended to read:

“A native aquatic bird assemblage that only has one or two other waterbodies like it in terms of diversity, abundance, or distinctiveness within the region.”

3. The experts recommend that “List A (b) Supports 5% or more of the national population of a particular native aquatic bird species listed as Nationally Critical, Nationally Endangered or Nationally Vulnerable on the New Zealand Threat Classification List” is amended to read:

“Supports 15% or more of the regional population, and 2% or more of the national population, of a particular native aquatic bird species listed as Nationally Critical, Nationally Endangered or Nationally Vulnerable on the New Zealand Threat Classification List.”

4. The experts recommend that “List B (a) A native fish assemblage that is regionally unique in terms of diversity, abundance or distinctiveness” is amended to read:

“A native fish assemblage that only has one or two other waterbodies like it in terms of diversity, abundance, or distinctiveness within the region.”

5. The experts recommend that “List B (b) Supports more than 5% of the national population of a particular native fish species listed as Nationally Critical, Nationally Endangered or Nationally Vulnerable on the New Zealand Threat Classification List” is amended to read:

“Supports 15% or more of the regional population, and 2% or more of the national population, of a particular native fish species listed as Nationally Critical, Nationally Endangered or Nationally Vulnerable on the New Zealand Threat Classification List.”

6. The experts have recommended these amendments to ensure that the screening criteria are rigorous and consistent and are highly likely to meet the PC7 definition of outstanding, without excluding candidate water bodies that are likely to meet the PC7 definition.
7. The inclusion of a 15% regional threshold has been included to ensure the criteria have regional relevance. The inclusion of a 2% national threshold is to ensure the national population size is taken into account, without being as onerous as the default 5% national population threshold that has been adopted for birds in some water conservation orders.
8. Using the thresholds of both 2% national, and 15% regional, is consistent with the criteria recommended by the local expert panel for identifying outstanding water bodies (see Table 4 of Local Expert Panel Report).

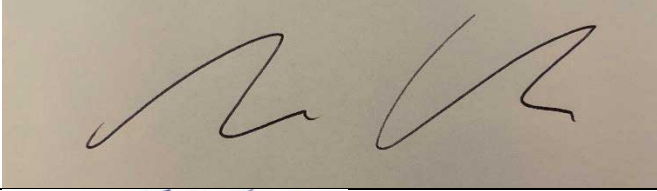

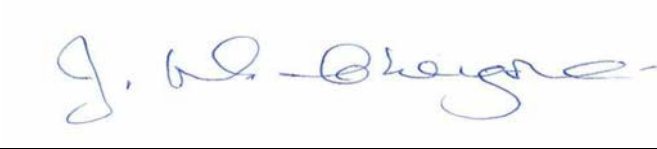
9. The term 'unique' has been changed to "one or two other waterbodies" because, after consideration of the implications of applying the (b) criteria, a threshold of unique (i.e. only 1) for the (a) criterion was considered too onerous.
10. We note that other ecology criteria (plants and 'other') include some element of 'uniqueness' in them, and this language may need to be revisited for consistency across the Ecology criteria.

Other waterbodies

11. JC does not consider himself to be an expert in native fish. AH and GR are not aware of any new evidence relevant to the ecology criteria for any additional waterbodies that appellants have nominated, including:
 - a. Ngaruroro (indigenous fish habitat)
 - b. Karamū (indigenous fish habitat)
 - c. Tukituki River and Estuary (indigenous fish habitat)
 - d. Porangahau Estuary (**kōhanga ika**).

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Signed:

Witness	Signature	Date
Andrew Hicks		10 October 2023
Greg Ryder		10 October 2023
John Cheyne		10 October 2023