

## Appendix A

Recommendations are underlined to indicate additions and ~~strikethrough~~ to indicate removal.

### APP3 – Criteria for *biodiversity offsetting*

(1) *Biodiversity* offsetting is not available for an activity ~~that will result in~~ when:

~~(a) the loss from an ecological district of any individuals of Threatened *taxa*, other than kānuka (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Townsend et al, 2008), or~~

~~(b) measurable loss within an ecological district to an At Risk-Declining *taxon*, other than manuka (*Leptospermum scoparium*), under the New Zealand Threat Classification System (Townsend et al, 2008), or~~

~~(c)~~ (a) the activity will result in the worsening of the conservation status of any indigenous biodiversity as listed under the New Zealand Threat Classification System (Townsend et al, 2008), or

~~(d) the removal or loss of viability of a naturally uncommon ecosystem type that is associated with indigenous vegetation or habitat of indigenous fauna, or~~

~~(e)~~ (b) the activity will result in the loss (including cumulative loss) of irreplaceable or vulnerable indigenous biodiversity.

(c) the activity will result in the loss of an indigenous taxon or any ecosystem type from an ecological district; or

(d) there are no technically feasible or socially acceptable options by which to secure gains within acceptable timeframes; or

(e) the effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse; or

(f) the proposed activity may contradict anticipated environmental results ECO-AER1 to ECO-AER4; or

(g) it cannot be reasonably demonstrated that the proposed management methods for the offset are likely to achieve the predicted outcome; or

(h) the offset actions may displace activities harmful to indigenous biodiversity to other locations.

(2) *Biodiversity* offsetting may be available if the following criteria are met:

(a) the offset addresses residual adverse *effects* that remain after implementing the sequential steps required by ECO-P6(1) to (3),

(b) the proposal demonstrates that the offset can reasonably achieve ~~no net~~ loss and preferably a net gain in indigenous *biodiversity*, as measured by type, amount and condition at both the impact and offset sites using an explicit, quantitative loss and gain calculation,

(c) the offset is undertaken where it will result in the best ecological outcome, and is preferably:

- (i) close to the location of the activity, and
- (ii) within the same *ecological district*,

(d) the offset is applied so that the ecological values being achieved are the same or similar to those being lost,

(e) the positive ecological outcomes of the offset endure at least as long as the impact of the activity and preferably in perpetuity,

(f) the proposal demonstrates that the offset will achieves *biodiversity* outcomes that are clearly additional to those that would have occurred if

the offset was not proposed, and are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity,

(g) the time delay between the loss of *biodiversity* and the gain or maturation of the *biodiversity* outcomes of the offset is the least necessary to achieve the ~~best possible~~ outcome,

(h) the outcome of the offset is achieved within the duration of the *resource consent*, and

(i) any offset developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated.

(3) *Biodiversity* offsetting proposed in any application for resource consent, plan change or notice of requirement, must address all matters in APP3(2), and:

~~(a) use objective counts and measures wherever possible, Describe and measure biodiversity at the impact and offset sites using metrics that allow for biodiversity losses and gains to be quantified and balanced on a like for like basis,~~

~~(b) include high value species or vegetation types as components,~~

~~(c) disaggregate components of high value species and vegetation types, so that no trade-offs between them can occur, Use a disaggregated accounting system for important and high value species and vegetation types to ensure they are transparently accounted for,~~

~~(d) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and offset site,~~

(ed) include consideration of mātauraka Māori where available, and

(e) Provide opportunity for effective and early participation of stakeholders when planning a biodiversity offset,

(f) include a separate biodiversity offset management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime and detail regarding the transparent communication of the results to the public which is proportionate to the activity and its effects.

## Appendix B

Recommendations are underlined to indicate additions and ~~struckthrough~~ to indicate removal.

### **APP4 – Criteria for *biodiversity* compensation**

(1) *Biodiversity* compensation is not available for an activity ~~that will~~ when:

(a) the activity will result in the loss from an *ecological district* of an indigenous *taxon* ~~(excluding *freshwater* fauna and flora)~~ or of any ecosystem type,

~~(b) removal or loss of viability of the habitat of a Threatened indigenous species of fauna or flora under the New Zealand Threat Classification System (Townsend et al, 2008),~~

~~(c) removal or loss of health and *resilience* of a naturally uncommon ecosystem type that is associated with *indigenous vegetation* or habitat of indigenous fauna,~~

~~(d)~~ (b) the activity will result in worsening of the conservation status of any Threatened or At Risk indigenous biodiversity listed under the New Zealand Threat Classification System (Townsend et al, 2008), or

~~(e)~~ (c) the activity will result in the loss (including through cumulative loss) of irreplaceable or vulnerable indigenous biodiversity.

(d) there are no technically feasible or socially acceptable options by which to secure gains within acceptable timeframes; or

(e) the effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse; or

(f) the proposed activity may contradict anticipated environmental results ECO-AER1 to ECO-AER4, or

(g) it cannot be reasonably demonstrated that the proposed compensation actions are likely to achieve the predicted positive outcome; or

(h) the compensation may displace activities harmful to indigenous biodiversity to other locations

(2) *Biodiversity* compensation may be available if the following criteria are met:

(a) compensation addresses only residual adverse effects that remain after implementing the sequential steps required by ECO-P6(1) to (4),

(b) compensation is undertaken where it will result in the best ecological outcome and preferably:

(i) close to the location of the activity,

(ii) within the same *ecological district*, and

(iii) delivers indigenous biodiversity gains on the ground,

(ba) where criterion (2)(b)(iii) ~~is not~~ cannot be met any financial contributions considered must be directly linked to a specific indigenous biodiversity gain or benefit.

(c) compensation achieves positive *biodiversity* outcomes that would not have occurred without that compensation, and are additional to any remediation, mitigation or offset undertaken in response to the adverse effects of the activity,

(d) the positive *biodiversity* outcomes of the compensation are enduring, lasting at least as long as the impacts and preferably in perpetuity, and are enough to outweigh the adverse effects on indigenous biodiversity commensurate with the biodiversity values lost,

(e) the time delay between the loss of *biodiversity* at the impact site and the gain or maturation of the *biodiversity* outcomes from the compensation, is the least necessary to achieve the compensation-best possible ecological outcome,

(f) the outcome of the compensation is achieved within the duration of the *resource consent*,

(fa) when trading up forms part of biodiversity compensation, the proposal must demonstrate the indigenous biodiversity values gained are demonstrably of higher indigenous biodiversity value than those lost, or considered vulnerable or irreplaceable,

(g) *biodiversity* compensation developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated, and

(h) the *biodiversity* compensation outcome is demonstrably achievable.

(3) Biodiversity compensation proposed in any application for resource consent, plan change or notice of requirement, must address all matters in APP4 (2), and:

(a) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and compensation site, where applicable,

(b) include consideration of mātauraka Māori where available, and

(c) be informed by science,

(d) Provide opportunity for effective and early participation of stakeholders when planning a biodiversity offset, and

(ee) include a separate biodiversity compensation management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime and detail regarding the transparent communication of the results to the public which is proportionate to the activity and its effects.