

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Meridian Energy Limited	228.118	Amend	Considers clarification of the expression 'trading up' is required.	Clarify the expression 'trading up' in APP3 - Biodiversity Compensation.
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Meridian Energy Limited	228.119	Support in part	The reference to Policy ECO-P2 may be incorrect and the management hierarchy is actually set out in Policy ECO-P1. The policy framework and APP3 should allow consideration of biodiversity compensation where necessary to address residual adverse effects that are more than minor. Some amendments are appropriate to align APP3 to the approach adopted in the Proposed Natural Resources Plan.	Retain APP3-Biodiversity Compensation with amendment.
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Meridian Energy Limited	228.120	Amend	The reference to Policy ECO-P2 may be incorrect and the management hierarchy is actually set out in Policy ECO-P1. The policy framework and APP3 should allow consideration of biodiversity compensation where necessary to address residual adverse effects that are more than minor. Some amendments are appropriate to align APP3 to the approach adopted in the Proposed Natural Resources Plan.	Amend APP3-Biodiversity Compensation as follows (or similar): The following sets out a framework of principles for the use of biodiversity compensation. Principles must be complied with for an action to qualify as biodiversity compensation. 1. Adherence to effects management hierarchy: Biodiversity compensation is a commitment to redress residual adverse effects <u>that are more than minor</u> . It must only be contemplated after the management hierarchy steps in <u>ECO-P1 ECO-P2</u> have been demonstrated to have been sequentially exhausted and thus applies only to residual adverse effects on indigenous biodiversity <u>that are more than minor</u> . 2. Limits to biodiversity compensation: In deciding whether biodiversity compensation is appropriate, a decision-maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because: a. The indigenous biodiversity affected is irreplaceable or vulnerable; b. There are no technically feasible <u>or socially acceptable</u> options or no <u>appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset options</u> by which to secure gains within acceptable timeframes; and ...
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Claire Nolan, James Fraser, Biddy Bunzl, Margaret Franken, Michelle Wolland, and Lee Muir	275.37	Support	[No specific reason given beyond decision requested - refer back to original submission]	Retain Appendix 3 Biodiversity Compensation as notified.
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.403	Support in part	Opposes the use of compensation as a management approach for indigenous biodiversity. As such, we seek the deletion of this Appendix, and the provisions elsewhere in the Plan providing for compensation.	Delete APP3 (Biodiversity compensation).
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.404	Support in part	However, if compensation is to be retained, we support the mandatory application of principles to its use, and support this appendix, with the exception of the below comments. Pōtai: query why the pōtai is different from the offset appendix.	Amend APP3 (Biodiversity compensation): <u>Pōtai:... These principles will be used when assessing the adequacy of proposals for the design and implementation of offsetting as part of resource consent applications.</u>

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Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.405	Support in part	<p>However, if compensation is to be retained, we support the mandatory application of principles to its use, and support this appendix, with the exception of the below comments.</p> <p>Limits to biodiversity compensation: again, this is a crucial principle, and must be absolutely clear. The drafting of this principle includes a confusing standard of appropriateness, as well as a direction to ‘consider the principle’. The ‘limits to offsetting’ principle is intended to operate as a simple limit, if certain features are present. Incorporating a test of appropriateness defeats the purpose of the principle, which is to set out situations where compensation simply won’t be available. It is also not something to simply be ‘considered’, it is a test that must be met is compensation is allowed. The reason this principle exists is to safeguard against some of the worst outcomes that can be associated with compensation –because compensation is an uncertain management approach, the limits to compensation principle puts a line in the sand, and says that some things are too precious to apply this approach to. It ‘bites’ as a prior step, before compensation can even be considered. The amended wording below avoids an argument that a value can still be offset, despite its irreplaceable or vulnerable status. In our experience, this is an argument that consent applicants will use when the wording of the ‘limits to offsetting’ principle is drafted along the lines of the current wording. As such, we seek the following amendments:</p>	<p>Amend APP3 (Biodiversity compensation):</p> <p>2. Limits to biodiversity compensation: In deciding whether biodiversity compensation is appropriate, a decision maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because biodiversity compensation is not available, and the activity causing the residual adverse effects must be avoided where:</p>
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.406	Support in part	<p>However, if compensation is to be retained, we support the mandatory application of principles to its use, and support this appendix, with the exception of the below comments.</p> <p>Scale of biodiversity compensation: in general we support this principle, but it needs amendment to ensure it is consistent with Council’s obligation to maintain indigenous biodiversity. That obligation requires no net loss of biodiversity, rather than the vague standard of ‘proportionality’.</p>	<p>Amend APP3 (Biodiversity compensation):</p> <p>3. Scale of biodiversity compensation: The values to be lost through the activity to which the biodiversity compensation applies must be addressed by positive effects to indigenous biodiversity that are proportionate to the adverse effects on indigenous biodiversity. <u>There must be at least no net loss of indigenous biodiversity values as between the values lost through the activity and the values gained through the biodiversity compensation.</u></p>
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.407	Support in part	<p>However, if compensation is to be retained, we support the mandatory application of principles to its use, and support this appendix, with the exception of the below comments.</p> <p>Time lags: we seek amendments for the reasons set out in relation to APP2 above. We seek the following amendment:</p>	<p>Amend APP3 (Biodiversity compensation):</p> <p>7. Time lags: The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the compensation site must be minimised the shortest necessary to achieve the best possible biodiversity outcome and must not exceed the consent period or 35 years whichever is shorter. so that gains are achieved within the consent period and Any time lag must be identified within the biodiversity offset management plan.</p>
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Royal Forest and Bird Protection Society	345.408	Support in part	<p>However, if compensation is to be retained, we support the mandatory application of principles to its use, and support this appendix, with the exception of the below comments.</p> <p>Proposing biodiversity compensation: we seek a new principle to replicate principle 11 of APP2.</p>	<p>Amend APP3 (Biodiversity compensation) to add new principle:</p> <p>10. Proposing a biodiversity offset: A proposed biodiversity offset must include a specific biodiversity offset management plan, that: <u>a. Sets out baseline information on the indigenous biodiversity that is potentially impacted by the proposed activity at both the donor and recipient sites, and</u> <u>b. Demonstrates how the requirements set out in this schedule will be carried out, and</u> <u>c. Identifies the monitoring approach that will be used to demonstrate how the principles set out in this schedule will be fulfilled over an appropriate timeframe.</u></p>
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Greater Wellington Regional Council	351.329	Amend	<p>Considers that amendments are required to principle 3. The positive effects offered should outweigh the adverse effects incurred. This recognises the inherent risks and uncertainty of compensation, thus aiming for an overall net gain from the exchange (though not in the strict technical sense of offsetting as these are like-for-unlike exchanges). This approach would align with that suggested in the definition for biodiversity compensation provided in this plan (see comment above) and with the approach taken in the NRP and in the the NPS-IB exposure draft</p>	<p>Seeks to amend principle 3 (Scale of biodiversity compensation:) to:</p> <p>2. Scale of biodiversity compensation: The values to be lost through the activity to which the biodiversity compensation applies must be addressed by positive effects to indigenous biodiversity that are proportionate to outweigh the adverse effects on indigenous biodiversity.</p>

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Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Greater Wellington Regional Council	351.330	Amend	Principle 8 is redundant for managing biodiversity compensation exchanges as it essentially just specifies what the limits of biodiversity compensation are. Compensation exchanges are always like for unlike.	Seeks to delete principle 8 (Trading up).
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Greater Wellington Regional Council	351.331	Amend	Considers that principle 2 should be amended to incorporate direction from principle 8 into the limits of offsetting under the Plan	Amend principle 2 (Limits to biodiversity compensation) to: 2. Limits to biodiversity compensation: In deciding whether biodiversity compensation is appropriate, a decision-maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because: a. The indigenous biodiversity affected is irreplaceable or vulnerable; <u>ba. The values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists;</u> b. There are no technically...".
Appendices Subpart / Appendices / APP3 Biodiversity Compensation	Director-General of Conservation	385.85	Support	Supports the proposed framework of principles for the use of biodiversity compensation, which is in line with the guidance document "Biodiversity Offsetting under the Resource Management Act".	Retain APP3 Biodiversity Compensation as notified.