

## Appendix 1.2 – New definitions recommended for the Interpretation chapter

Amend existing definitions and insert new definitions relating to the Ecosystems and Indigenous Biodiversity topic as follows:

<p><b><u>AT-RISK INDIGENOUS TAXA</u></b><sup>1</sup></p>	<p><u>means species that are that are listed as at-risk in the New Zealand Threat Classification System.</u></p>
<p><b>BIODIVERSITY OFFSETS</b><sup>2</sup></p>	<p><del>are measurable outcomes resulting from actions designed to provide new positive effects to counter residual adverse effects of subdivision, land use and development on indigenous biodiversity.</del></p> <p><del>Biodiversity offsetting proposals must address the following principles:</del></p> <ul style="list-style-type: none"> <li><del>a. Offsetting measures compensate for residual adverse effects on biodiversity identified after adverse effects have been avoided, remedied or mitigated according to mitigation hierarchy;</del></li> <li><del>b. Offsetting measures achieve biodiversity outcomes above and beyond results that would have occurred if the offset had not taken place. The design and implementation of an offset should be based on sound science and avoid displacing activities harmful to biodiversity to other locations;</del></li> <li><del>c. That there is no net loss and preferably a net gain of biodiversity values;</del></li> <li><del>d. Offsetting measures re establish or protect the same type of ecosystem or habitat that is adversely affected (like for like), unless an alternative ecosystem or habitat provides a significantly better biodiversity outcome;</del></li> <li><del>e. The offsetting measures should apply as close as possible to the site incurring the effect with benefit diminishing with distance;</del></li> <li><del>f. The offsetting measures last at least as long as the effects of the activity, but preferably in perpetuity and incorporate monitoring and evaluation to allow for adaptive management where appropriate;</del></li> <li><del>g. The delay between the loss of ecological values through development and the gain or maturation of biodiversity values through offsetting measures is minimised;</del></li> <li><del>h. Compliance with offsetting measures is secured, as far as possible; and</del></li> </ul>

<sup>1</sup> Consequential amendment resulting from S511.059 – Forest and Bird (and others) seeking closer alignment of IB-P2 and IB-P3 with Policy 4.4.1 of the RPS.

<sup>2</sup>DOC (S364.011).

- i. ~~There are limits to what can be offset when affected biodiversity is irreplaceable or vulnerable. In such circumstances, offsetting cannot be considered as a means of dealing with adverse effects.~~

~~*Note: This definition should be read in conjunction with the definition for 'Environmental biodiversity compensation'.*~~

means a measurable conservation outcome that results from actions that are intended to:

- a. redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and
- b. achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.

Biodiversity offsetting for adverse effects on indigenous biodiversity must apply the following principles:

**1. Adherence to effects management hierarchy:** A biodiversity offset is a commitment to redress more than minor residual adverse effects and should be contemplated only after steps to avoid, minimise, and remedy adverse effects are demonstrated to have been sequentially exhausted.

**2. When biodiversity offsetting is not appropriate:** Biodiversity offsets are not appropriate in situations where indigenous biodiversity values cannot be offset to achieve a net gain. Examples of an offset not being appropriate include where:

- a. residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected;
- b. effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse or irreversible;
- c. there are no technically feasible options by which to secure gains within an acceptable timeframe.

**3. Net gain:** This principle reflects a standard of acceptability for demonstrating, and then achieving, a net gain in indigenous biodiversity values. Net gain is demonstrated by a like-for-like quantitative loss/gain calculation of the following, and is achieved when the indigenous biodiversity values at the offset site are equivalent to or exceed those being lost at the impact site:

- a. types of indigenous biodiversity, including when indigenous species depend on introduced species for their persistence; and
- b. amount; and
- c. condition (structure and quality).

	<p><u>4. <b>Additionality:</b> A biodiversity offset achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, such as gains that are additional to any minimisation and remediation undertaken in relation to the adverse effects of the activity.</u></p> <p><u>5. <b>Leakage:</b> Biodiversity offset design and implementation avoids displacing harm to other indigenous biodiversity in the same or any other location.</u></p> <p><u>6. <b>Long-term outcomes:</b> A biodiversity offset is managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management and monitoring.</u></p> <p><u>7. <b>Landscape context:</b> Biodiversity offsetting is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections, and ecosystem function.</u></p> <p><u>8. <b>Time lags:</b> The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the offset site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).</u></p> <p><u>9. <b>Science and mātauranga Māori:</b> The design and implementation of a biodiversity offset is a documented process informed by science and mātauranga Māori.</u></p> <p><u>10. <b>Tangata whenua and stakeholder participation:</b> Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning biodiversity offsets, including their evaluation, selection, design, implementation, and monitoring.</u></p> <p><u>11. <b>Transparency:</b> The design and implementation of a biodiversity offset, and communication of its results to the public, is undertaken in a transparent and timely manner.</u></p>
<p><b>ENVIRONMENTAL BIODIVERSITY COMPENSATION<sup>3</sup></b></p>	<p><del>consists of measurable outcomes resulting from actions designed to provide new positive effects to counter residual adverse effects of subdivision, land use and development on indigenous biodiversity.</del></p> <p><del>Environmental biodiversity compensation proposals must address the following principles:</del></p>

<sup>3</sup> DOC (S364.014).

- a. ~~The measures compensate for residual adverse effects on biodiversity after adverse effects have been avoided, remedied, mitigated or offset, according to the mitigation hierarchy;~~
- b. ~~The measures achieve biodiversity outcomes above and beyond results that would have occurred if the environmental biodiversity compensation had not taken place. The design and implementation should be based on sound science and avoid displacing activities harmful to biodiversity to other locations;~~
- c. ~~There is no net loss and preferably a net gain of biodiversity values;~~
- d. ~~Where the measures are unable to re-establish or protect the same type of ecosystem or habitat that is adversely affected (like for like), consider alternatives that demonstrate a better biodiversity outcome;~~
- e. ~~Where the benefit will diminish with distance, this should be taken into account when assessing the measure;~~
- f. ~~The measures last at least as long as the effects of the activity, but preferably in perpetuity, and incorporate monitoring and evaluation to allow for adaptive management where appropriate;~~
- g. ~~The delay between the loss of ecological values through development and the gain or maturation of biodiversity values through the measures is minimised; and~~
- h. ~~Compliance with measures is secured as far as possible. There are limits as to what can be compensated when affected biodiversity is irreplaceable or vulnerable. In such circumstances environmental biodiversity compensation may not be appropriate as a means of dealing with adverse effects.~~

means a conservation outcome that results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.

Biodiversity compensation for adverse effects on indigenous biodiversity must apply the following principles:

**1. Adherence to effects management hierarchy:** Biodiversity compensation is a commitment to redress more than minor residual adverse effects, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse effects are demonstrated to have been sequentially exhausted.

**2. When biodiversity compensation is not appropriate:** Biodiversity compensation is not appropriate where indigenous biodiversity values are not able to be compensated for. Examples of biodiversity compensation not being appropriate include where:

- a. the indigenous biodiversity affected is irreplaceable or vulnerable;

- b. effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse or irreversible;
- c. there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes.

**3. Scale of biodiversity compensation:** The indigenous biodiversity values lost through the activity to which the biodiversity compensation applies are addressed by positive effects to indigenous biodiversity (including when indigenous species depend on introduced species for their persistence), that outweigh the adverse effects.

**4. Additionality:** Biodiversity compensation achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, such as gains that are additional to any minimisation and remediation or offsetting undertaken in relation to the adverse effects of the activity.

**5. Leakage:** Biodiversity compensation design and implementation avoids displacing harm to other indigenous biodiversity in the same or any other location.

**6. Long-term outcomes:** Biodiversity compensation is managed to secure outcomes of the activity that last as least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management, and monitoring.

**7. Landscape context:** Biodiversity compensation is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections, and ecosystem function.

**8. Time lags:** The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the compensation site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).

**9. Trading up:** When trading up forms part of biodiversity compensation, the proposal demonstrates that the indigenous biodiversity gains are demonstrably greater or higher than those lost. The proposal also shows the values lost are not to Threatened or At Risk (declining) species or to species considered vulnerable or irreplaceable.

**10. Financial contributions:** A financial contribution is only considered if:

- a. there is no effective option available for delivering biodiversity gains on the ground; and

	<p>b. <u>it directly funds an intended biodiversity gain or benefit that complies with the rest of these principles.</u></p> <p><b><u>11. Science and mātauranga Māori:</u></b> <u>The design and implementation of biodiversity compensation is a documented process informed by science, and mātauranga Māori.</u></p> <p><b><u>12. Tangata whenua and stakeholder participation:</u></b> <u>Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning for biodiversity compensation, including its evaluation, selection, design, implementation, and monitoring.</u></p> <p><b><u>13. Transparency:</u></b> <u>The design and implementation of biodiversity compensation, and communication of its results to the public, is undertaken in a transparent and timely manner.</u></p>
<p><b><u>EFFECTS MANAGEMENT HIERARCHY<sup>4</sup></u></b></p>	<p><u>means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</u></p> <ol style="list-style-type: none"> <li>a. <u>adverse effects are avoided where practicable; then</u></li> <li>b. <u>where adverse effects cannot be avoided, they are minimised where practicable; then</u></li> <li>c. <u>where adverse effects cannot be minimised, they are remedied where practicable; then</u></li> <li>d. <u>where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</u></li> <li>e. <u>where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then</u></li> <li>f. <u>if biodiversity compensation is not appropriate, the activity itself is avoided.</u></li> </ol>
<p><b><u>PESTS<sup>5</sup></u></b></p>	<p><u>means an organism specified as a pest in the current Northland Pest Management Plan.</u></p>
<p><b><u>SIGNIFICANT NATURAL AREA SIGNIFICANT INDIGENOUS VEGETATION OR SIGNIFICANT HABITAT OF INDIGENOUS FAUNA<sup>6</sup></u></b></p>	<p><u>means an area:-</u></p> <ol style="list-style-type: none"> <li>a. <u>identified in Schedule 4 of the District Plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna; or</u></li> <li>b. <u>assessed by a suitably qualified and experienced ecologist as meeting one of the criteria for ecological significance in Appendix 5 of the Regional Policy Statement for Northland 2016 or within any more recently gazetted National Policy Statement on indigenous biodiversity.-</u></li> </ol>

<sup>4</sup> Ibid.

<sup>5</sup>Hort NZ (S159.052).

<sup>6</sup> Consequential amendment resulting from Bentzen Farm Ltd (S167.014) and others seeking that all references to SNAs in the IB Chapter are deleted and replaced with the wording in section 6(c) of the RMA.

	<u>means an area identified as significant indigenous vegetation or significant habitat of indigenous fauna in accordance with Appendix 5 of the Regional Policy Statement for Northland 2016.</u>
<b><u>THREATENED INDIGENOUS TAXA</u></b> <sup>7</sup>	<u>means species that are that are listed as threatened in the New Zealand Threat Classification System.</u>

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<sup>7</sup> Consequential amendment resulting from S511.059 – Forest and Bird (and others) seeking closer alignment of IB-P2 and IB-P3 with Policy 4.4.1 of the RPS.