

15 February 2018

Pre-hearing meeting for the Proposed Natural Resources Plan: Wetlands and Biodiversity Topic

Schedule G - Mitigation and offsetting principles

Present: Peter Anderson (Forest and Bird), Pam Guest (GWRC), Jamie Steer (GWRC)

1. Introduction

Several submissions on the proposed Plan raised concerns that ‘Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity’ fails to clearly distinguish between mitigation and offsetting and requested amendments to address this, including by separating Schedule G into two parts. In response, Council staff drafted a revised Schedule G (Part A Mitigation and Part B Offsetting) with specific principles defined for each process.

A pre-hearing meeting was held to discuss these draft amendments with the submitters who requested these changes to identify the level of support for the draft amendments and provide an opportunity to resolve any issues prior to the release of the Section 42A Report: Wetlands and Biodiversity. The relevant submitters invited to participate were Environmental Defence Society (S110), Minister of Conservation (S75) and Forest and Bird (S353). As these amendments were developed in the last few weeks of Section 42A drafting it was not possible to arrange a time when all parties could attend together, therefore two separate pre-hearing meetings were held.

2. Matters discussed

Matters discussed included:

- Schedule G: separation into Part A Mitigation and Part B Offsetting – the principles applied to each of these Parts
- Definition of biodiversity offset
- The mitigation hierarchy structure
- RMA s104 requirement to have regard for compensation proposals and how this relates to Schedule G principles

3. Matters of agreement / matters outstanding

The proposed amendments to Schedule G were supported by Forest and Bird as drafted.

This report will be appended to the Officer's s42A Report for Wetlands and Biodiversity.

Name:	Representing:	Signed as an accurate record
Peter Anderson	Forest and Bird	
Pam Guest	GWRC	
Jamie Steer	GWRC	

21 February 2018

Pre-hearing meeting for the Proposed Natural Resources Plan: Wetlands and Biodiversity Topic

Schedule G - Mitigation and offsetting principles

Present: Laurence Barea (Department of Conservation), Katherine Anton (Department of Conservation), Pam Guest (GWRC), Jamie Steer (GWRC)

2. Introduction

Several submissions on the proposed Plan raised concerns that ‘Schedule G: Principles to be applied when proposing and considering mitigation and offsetting in relation to biodiversity’ fails to clearly distinguish between mitigation and offsetting and requested amendments to address this, including by separating Schedule G into two parts or two distinct schedules. In response, Council staff drafted a revised Schedule G (Part A Mitigation and Part B Offsetting) with specific principles defined for each process.

A pre-hearing meeting was held to discuss these draft amendments with the submitters who requested these changes, to identify the level of support for the draft amendments and provide an opportunity to resolve any issues prior to the release of the Section 42A Report: Wetlands and Biodiversity. The relevant submitters invited to participate were Environmental Defence Society (S110), Minister of Conservation (S75) and Forest and Bird (S353). As these amendments were developed in the last few weeks of Section 42A drafting it was not possible to arrange a time when all parties could attend together, therefore two separate pre-hearing meetings were held.

2. Matters discussed

Matters discussed at the pre-hearing with representatives for the Minister of Conservation included:

- Definition of mitigation and biodiversity offset
- Schedule G: structure; relevant principles for Mitigation and for Offsetting
- The structure of the mitigation hierarchy
- RMA s104 requirement to have regard for compensation proposals and how this relates to Schedule G principles

3. Matters of agreement / matters outstanding

Agreement was reached on the following matters:

- Separating Schedule G into two distinct schedules (Mitigation; Offsetting) to provide greater clarity about the critical differences between these two processes.
- Drafting of appropriate principles for each process (as appended)

This report will be appended to the Officer's s42A Report for Wetlands and Biodiversity.

Name:	Representing:	Signed as an accurate record
Laurence Barea	Minister of Conservation	
Katherine Anton	Minister of Conservation	
Pam Guest	GWRC	
Jamie Steer	GWRC	

Table 1. Matters of agreement and outstanding matters (meeting with DOC)

Draft amendments circulated for discussion at the pre-hearing meeting	Matters of agreement and matters outstanding
Schedule G: Part A and Part B	Agreement to redraft Schedule G as two distinct Schedules G and new Schedule X
Mitigation principles 1. Adherence to the mitigation hierarchy	Add a definition for mitigation to the proposed Plan Support Principle 1 – stress the critical sequential nature of the three steps ‘avoid, minimise, remedy’
2. Limits to what can be mitigated	Delete Principle 2 – this is not applicable to mitigation
3. Additional conservation outcomes	Support Principle 3
4. Landscape context	Delete 4(a) as mitigation only applies to actions at the point of impact. 4(b) delete reference to regional and national level and replace with “within the local landscape” Retain 4(c) and (d)
5. Long term outcomes	Support Principle 5 “Long term outcomes”
6. No net biodiversity loss	Support deleting Principle 6 “No net biodiversity loss”

Offsetting principles 1. Adherence to the mitigation hierarchy	Support Principle 1
2. Limits to what can be mitigated	Support Principle 2, with amendments to refer to the NZ Threat Classification system rather than the IUCN categories to replace reference to ‘highly vulnerable’ values
3. Additional conservation outcomes	Support Principle 3
4. Landscape context	Support Principle 4, with amendments to provide for offsetting at a scale that is larger than the ecological district, providing there is an ecological rationale
5. Long term outcomes	Support Principle 5
6. No net biodiversity loss	Support Principle 6
7. Additional sub-principles, as requested in the submission of the Minister of Conservation	Agreement to add two new sub-principles to principle 6: <ul style="list-style-type: none"> - “like for like” - Requirement for a biodiversity offset management plan

Further conversations with both parties

Further discussion was had with both the Department of Conservation and Forest and Bird in developing revised Schedule G, separated in Schedule G1: Biodiversity Mitigation and Schedule G2: Biodiversity Offsetting.

Verbal agreement was reached with both parties with respect to the majority of the recommended changes, with both parties reserving the right to give these Schedules further consideration and bring further matters to the Hearing.