

IN THE ENVIRONMENT COURT
AT WELLINGTON

I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA

IN THE MATTER of appeals under cl 14 of Schedule 1 to
the Resource Management Act 1991

BETWEEN MERIDIAN ENERGY LIMITED

(ENV-2019-WLG-000115)

PORIRUA CITY COUNCIL

(ENV-2019-WLG-000116)

WELLINGTON INTERNATIONAL
AIRPORT LIMITED

(ENV-2019-WLG-000117)

WELLINGTON WATER LIMITED

(ENV-2019-WLG-000123)

ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NEW
ZEALAND INC

(ENV-2019-WLG-000130)

NEW ZEALAND TRANSPORT
AGENCY

(ENV-2019-WLG-000131)

Appellants

AND WELLINGTON REGIONAL
COUNCIL

Respondent

Court: Environment Judge B P Dwyer sitting alone under s 279 of the
Act

Date of Order: 14 September 2021



Date of Issue: 14 September 2021

CONSENT ORDER

- A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the changes set out in **Appendix A** be made to the Proposed Plan.
- B: The parts of the appeals concerning Topic 44 Mitigation hierarchy - Wetlands and Biodiversity (Policies P32 and P41, Schedules G1 and G2) are otherwise dismissed.
- C: Under s 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] The Court has read the notices of appeal and the memorandum of the parties received 12 August 2021.

Other relevant matters

[2] The following persons gave notice of an intention to become parties to the appeals under s 274 of the Act, and have signed the consent memorandum setting out the relief sought:

- Kāpiti Coast District Council;
- CentrePort Ltd and CentrePort Properties Ltd;
- Federated Farmers of New Zealand;
- Minister of Conservation; and

- Queen Elizabeth II National Trust.

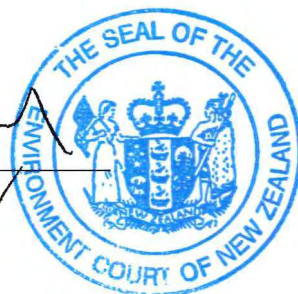
[3] Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Inc Society, Wellington Fish and Game Council, Land Matters Ltd and First Gas Ltd did not sign the consent memorandum, but in accordance with the Court's direction in its minute dated 28 April 2021, they are deemed to have accepted the consent memorandum and order. Kāinga Ora – Homes and Communities, Horticulture New Zealand and Beef and Lamb New Zealand Ltd confirmed to Council that they did not have an interest in the topic.

[4] The Regional Council advised that s 274 party Fire and Emergency New Zealand was supplied with the consent order in accordance with the Court's 4 June 2021 direction. Fire and Emergency New Zealand advised the Council it had no interest in this Topic.

[5] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order or are deemed to have done so in accordance with the Court's minute of 28 April 2021;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.


B P Dwyer
Environment Judge



Appendix A

TOPIC 44 WORDING CHANGES - EFFECTS MANAGEMENT MITIGATION HIERARCHY OUTCOME STATEMENT

KEY:

Red track - changes made at mediation

Green track - changes in the Decisions Version of the PNRP, with clause 16 changes

<u>Biodiversity compensation</u>	<u>biodiversity compensation</u> means a measurable positive environmental outcome resulting from actions that are designed to compensate for residual adverse biodiversity effects. The principles to be applied when proposing and considering <u>biodiversity compensation</u> are provided in Schedule G3 (<u>biodiversity compensation</u>).
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4.6.1A Managing adverse effects on aquatic ecosystems, habitats and species indigenous biodiversity within the coastal environment marine area

Policy P22-39A: Ecosystem values of estuaries Indigenous biodiversity values within the coastal environment marine area

To protect the indigenous biodiversity values, of aquatic ecosystems, habitats and species, use and development within the coastal marine area coastal environment shall:

- (a) avoid adverse effects on indigenous biodiversity values that meet the criteria in Policy 11(a) of the New Zealand Coastal Policy Statement (NZCPS) namely:
- (i) indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as threatened by the International Union for Conservation of Nature and Natural Resources;
 - (ii) indigenous ecosystems and vegetation types in the coastal environment marine area that are threatened or are naturally rare;

- (iii) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
 - (iv) areas in the coastal environment ~~marine area~~ containing nationally significant examples of indigenous community types;
 - (v) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and
- ~~(b) avoid significant adverse effects, and avoid, minimise, and/or remedy other adverse effects, of activities on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as nursery for important fish stocks, shall be avoided.~~
- ~~(b) avoid significant adverse effects on indigenous biodiversity values that meet the criteria in Policy 11(b) (i) – (vi) of the NZCPS, and~~
- ~~(c) manage non-significant adverse effects of activities on indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS by:~~
- ~~(i) avoiding adverse effects where practicable, and~~
 - ~~(ii) where adverse effects cannot be avoided, **minimising** them where practicable, and~~
 - ~~(iii) where adverse effects cannot be **minimised** they are remedied where practicable, and~~
 - ~~(iv) where **residual adverse effects** cannot be avoided, **minimised**, or remedied, **biodiversity offsetting** is provided where possible, and~~
 - ~~(v) if **biodiversity offsetting of residual adverse effects** is not possible, the activity itself is avoided unless the activity is **regionally significant infrastructure** then **biodiversity compensation** is provided; and~~
 - ~~(vi) the activity itself is avoided if **biodiversity compensation** cannot be undertaken in a way that is appropriate as set out in Schedule G3, including Clause 2 of that schedule, and~~
- ~~(d) for all other sites within the coastal environment not meeting Policy 11(a) or (b) of the NZCPS, manage significant adverse effects on indigenous biodiversity values using the effects management hierarchy set out in (b) to (g) of Policy P32.~~

Policy P32: Adverse effects on **biodiversity** aquatic ecosystem health, and mahinga kai 

Adverse effects on biodiversity, **aquatic ecosystem health** and **mahinga kai** for shall be managed by:

- (a) in the first instance, activities that risk causing adverse effects on the values of a Schedule F ecosystem or habitat, other than activities carried out in accordance with a **wetland restoration management plan**, shall avoid these ecosystems and habitats. If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by (b) to (g) below.
- (ab) avoiding **significant** adverse effects where practicable, and
- (bc) where **significant** adverse effects cannot be avoided, remedying-minimising them where practicable, and
- (ed) where **significant** adverse effects cannot be remedied, mitigating them avoided and/or minimised they are remedied except as provided for in (e) to (g), and
- (de) where **significant more than minor residual adverse effects** cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible remain, it is appropriate to consider the use of biodiversity offsets., and
- (f) if **biodiversity offsetting** of more than minor residual adverse effects is not possible, **biodiversity compensation** is provided, and
- (g) the activity itself is avoided if **biodiversity compensation** cannot be undertaken in a way that is appropriate as set out in Schedule G3, including Clause 2 of that Schedule.

In relation to activities within the beds of lakes, rivers and **natural wetlands**, (e) to (g) only apply to activities which meet the exceptions in Policy P102.


Proposals for **biodiversity mitigation** under (a) to (c) above, and **biodiversity offsetting**, and **biodiversity compensation** will be assessed against the principles listed in Schedule G1 (**biodiversity mitigation**), and Schedule G2 (**biodiversity offsetting**).

A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F.

Notes

Policy P39A applies to the management of adverse effects on indigenous biodiversity values within the coastal environment.

Proposals for **biodiversity mitigation** under (b) to (d) above, and **biodiversity offsetting**, and **biodiversity compensation** will be assessed against the principles listed in Schedule G1 (**biodiversity mitigation**), and Schedule G2 (**biodiversity offsetting**), and Schedule G3 (**biodiversity compensation**).

~~Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values~~ 

~~In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities that risk causing adverse effects on the values of a significant site, other than activities carried out in accordance with a **wetland restoration management plan**, shall avoid these ecosystems and habitats.~~

~~If the ecosystem or habitat cannot be avoided, (except for those ecosystems and habitats identified in Policy P40 (b), (c) and (d) that are identified and managed by Policy P39A(a)), the adverse effects of activities shall be managed by:~~

- ~~(a) avoiding more than minor adverse effects, and~~
- ~~(b) where more than minor adverse effects cannot be avoided, minimising remedying them, and~~
- ~~(c) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied mitigating them, and~~
- ~~(d) where **residual adverse effects** remain it is appropriate to consider the use of **biodiversity offsets** may be proposed or agreed by the applicant.~~

~~Proposals for **biodiversity mitigation** and **biodiversity offsetting** will be assessed against the principles listed in Schedule G1 (**biodiversity mitigation**) and Schedule G2 (**biodiversity offsetting**). A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values.~~

~~Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through **biodiversity offsets**, the activity is inappropriate.~~

Schedule G1: Principles to be applied when proposing and considering **biodiversity** mitigation ~~and offsetting~~ ~~in relation to biodiversity~~



This schedule details the principles that ~~should~~ **will** be used to guide the development of **biodiversity** mitigation ~~and biodiversity offsetting~~ proposals. These principles will be used when assessing the adequacy of proposals for the design and implementation of **biodiversity mitigation and biodiversity offsetting** as part of resource consents issued under this Plan.

Any **biodiversity mitigation** ~~or biodiversity offset~~ proposed to manage adverse effects on biodiversity under Policies P32, **P39** and **P39A-P41** should be designed and implemented with regard to any current guidance or direction from central government in relation to mitigation ~~or biodiversity offsets~~.

Each of the following principles must be applied:

~~The numbering of the principles in this schedule is solely for convenience and should not be interpreted as an indication of relative importance. Principles 1-5 apply to the proposal and consideration of both mitigation and biodiversity offsets relating to adverse effects on biodiversity. Principle 6 applies solely to the proposal and consideration of biodiversity offsets relating to residual adverse effects on biodiversity.~~

1. Adherence to the ~~mitigation effects management~~ hierarchy

The proposed **biodiversity mitigation** ~~or biodiversity offset~~ will be assessed in accordance with the ~~mitigation effects management~~ hierarchy set out in Policies P32, **P39** and **P39A-P41**. Any proposal for **biodiversity mitigation or biodiversity offset** will:

- (a) document ~~and clearly delineate~~ the appropriate measures taken to ~~respectively~~ avoid, ~~remedy, minimise, or mitigate~~ **remedy** any adverse effects of the activity on biodiversity, ~~and~~
- ~~(b) demonstrate that the mitigation addresses the adverse effects of the activity, or that the biodiversity offset addresses the residual adverse effects of the activity.~~

~~2. Limits to what can be mitigated or offset~~

~~Consideration of mitigation or biodiversity offsetting is inappropriate when an activity has the potential to cause adverse effects, or residual adverse effects, on an area:~~

- ~~(a) where the values of that area are highly vulnerable or irreplaceable, or~~

~~(b) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate mitigation or biodiversity offset.~~

3.2. Additional conservation outcomes

Any proposal for **biodiversity mitigation** ~~or biodiversity offset~~ will:

- ~~(a) demonstrate that **positive effects on biodiversity** the actions to mitigate adverse effects on biodiversity are additional to what would have occurred without the proposed mitigation, ~~or biodiversity offset, and~~~~
- ~~(b) incorporate the activities outlined in any associated resource consent/s and would not have occurred without ~~them~~, including any activities required by any associated resource consent/s.~~

4.3. Landscape context

Any proposals for **biodiversity mitigation** ~~or biodiversity~~ will:

- (a) demonstrate that ~~positive effects are achieved at the site, or where appropriate within the ecological district~~ the proposed actions to mitigate adverse effects will be undertaken at the same location as the activity that causes them, and
- (b) complement and contribute to the protection of significant indigenous vegetation, or the habitats of threatened fauna at the local, regional or national level, and
- (c) take into account available information on the full range of biological, social and cultural values of biodiversity and support an ecosystem-scale approach, and
- (d) take into consideration other likely future developments, such as competing land use pressures, within the landscape.

5. 4. Long-term outcomes

Any proposals for **biodiversity mitigation** ~~or biodiversity offset~~ should be based on an adaptive management approach, incorporating monitoring and evaluation, with the objective of securing outcomes that last at least as long as the activity's impacts, and preferably in perpetuity.

The proposed **biodiversity mitigation** ~~or biodiversity offset~~ will:

- (a) demonstrate that management arrangements, legal arrangements (e.g. covenants) and financial arrangements (e.g. bonds) are in place ~~that allow the positive effects to~~

~~endure as long as the adverse effects of the activity for as long as the adverse effects of the activity~~, and preferably in perpetuity, and

- (b) be able to be implemented and enforced in line with any resource consent conditions associated with the activity. These conditions should include:
 - (i) specific, measurable and time-bound targets, and
 - (ii) mechanisms for adaptive management using the results of periodic monitoring and evaluation against identified milestones to determine whether the **biodiversity mitigation** ~~or biodiversity offset~~ is on track and how to rectify if necessary, and
- (c) establish roles and responsibilities for managing, governing, monitoring and enforcing the **biodiversity mitigation** ~~or biodiversity offset~~, and
- (d) undertake methods by which analysis will identify when milestones of the **biodiversity mitigation** ~~or biodiversity offset~~ are not achieved, and the causes of non-achievement, and how to revise the management plan to avoid similar occurrences.

6. ~~No net biodiversity loss~~

~~Any proposals for biodiversity offsets will provide measurable positive effects on biodiversity at the site or, where appropriate, within the ecological district, which can reasonably be expected to result in no net loss and preferably a net gain of biodiversity.~~

~~No net loss of biodiversity is determined with respect to species composition (e.g. individual species or species groups), habitat structure (e.g. vegetation tiers), ecosystem health (e.g. nutrient cycling rates), and cultural use values (e.g. valued habitats or species).~~

~~Any proposals for biodiversity offset will demonstrate that:~~

- ~~(a) an explicit calculation of loss and gain has been undertaken as the basis for the biodiversity offset design, and should demonstrate the manner in which no net loss or a net gain of biodiversity can be achieved by the biodiversity offset, and~~
- ~~(b) the biodiversity offset design and implementation should include provisions for addressing sources of uncertainty and risk of failure in delivering the biodiversity offset.~~

Schedule G2: Principles to be applied when proposing and considering a biodiversity offset

This schedule details the principles that ~~should~~ will be used to guide the development of **biodiversity offsets**. These principles will be used when assessing the adequacy of proposals for the design and implementation of offsetting as part of resource consents issued under this Plan.

Any biodiversity offsetting proposed to manage adverse effects on biodiversity under Policies P32, P39 and P39A ~~and P41~~ should be designed and implemented with regard to any current guidance or direction from central government in relation to **biodiversity offsets**.

Each of the following principles must be applied:

The numbering of the principles in this schedule is solely for convenience and should not be interpreted as an indication of relative importance.

1. Adherence to the ~~mitigation~~ effects management hierarchy

The proposed **biodiversity offset** will be assessed in accordance with the ~~mitigation~~ effects management hierarchy set out in Policies P32, P39 and P39A ~~and P41~~. Any proposal for a **biodiversity offset** will demonstrate how it addresses the residual adverse effects of the activity.

2. Limits to what can be offset

Consideration of biodiversity offsetting is inappropriate where:

- (a) there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset, or
- (b) when an activity is anticipated to cause residual adverse effects on an area after an offset has been implemented where:
 - (i) the ecosystems or species are “threatened” (as defined by the New Zealand Threat Classification System categories: Nationally Critical (NC), Nationally Endangered (NE), and Nationally Vulnerable (NV)), or

(ii) the ecosystem is naturally uncommon¹.

3. Additional conservation outcomes

Any proposal for a **biodiversity offset** will demonstrate that the actions taken to achieve positive effects on biodiversity are additional to what would have occurred without the **proposed biodiversity** offset, including any activities required by any associated resource consent/s.

4. Landscape context

Any proposals for biodiversity offsetting will:

- (a) demonstrate that positive effects are achieved preferentially, first at the site, then the relevant catchment, then within the ecological district, except where there is an appropriate ecological rationale for doing otherwise, and
- (b) complement and contribute to the protection of significant indigenous vegetation, or the habitats of threatened fauna at the local, regional or national level, and
- (c) take into account available information on the full range of biological, social and cultural values of biodiversity and supports an ecosystem-scale approach, and
- (d) take into consideration other likely future developments, such as competing land use pressures, within the landscape.

5. Long-term outcomes

Any proposals for **biodiversity offset** should be based on an adaptive management approach, incorporating monitoring and evaluation, with the objective of securing outcomes that last at least as long as the activity's impacts, and preferably in perpetuity.

The proposed **biodiversity offset** will:

- (a) demonstrate that management arrangements, legal arrangements (e.g. covenants) and financial arrangements (e.g. bonds) are in place that allow the positive effects to endure as long as the residual adverse effects of the activity, and preferably in perpetuity, and

¹ A description of the 72 naturally uncommon ecosystems in New Zealand is provided in Wiser, Susan K et al "New Zealand's Naturally Uncommon Ecosystems" 2013 available at www.landcareresearch.co.nz/publications/naturally-uncommon-ecosystems

- (b) be able to be implemented and enforced in line with any resource consent conditions associated with the activity. These conditions should include:
 - (i) specific, measurable and time-bound targets, and
 - (ii) mechanisms for adaptive management using the results of periodic monitoring and evaluation against identified milestones to determine whether the **biodiversity offset** is on track and how to rectify if necessary, and
- (c) establish roles and responsibilities for managing, governing, monitoring and enforcing the **biodiversity offset**, and
- (d) undertake methods by which analysis will identify when milestones of the **biodiversity offset** are not achieved, and the causes of non-achievement, and how to revise the offset management plan to avoid similar occurrences.

6. No net biodiversity loss

Any proposals for **biodiversity offsets** will provide measurable positive effects on biodiversity preferentially, first at the site, then the relevant catchment, then within the ecological district, which can reasonably be expected to result in no net loss and preferably a net gain of biodiversity.

No net biodiversity loss means no reasonably measurable overall reduction in:

- (a) the diversity of indigenous species or recognised taxonomic units, and
- (b) indigenous species' population sizes (taking into account natural fluctuations) and long term viability, and
- (c) the natural range inhabited by indigenous species, and
- (d) the range and ecological health and functioning of assemblages of indigenous species, community types and ecosystems, and
- (e) the cultural use values of indigenous habitats or species.

Any proposals for **biodiversity offset** will demonstrate:

- (f) that an explicit calculation of loss and gain has been undertaken as the basis for the **biodiversity offset** design, and should demonstrate the manner in which no net loss,

and preferably a net gain of biodiversity, can be achieved by the **biodiversity offset**, and

- (g) that the **biodiversity offset** design and implementation should include provisions for addressing sources of uncertainty and risk of failure in delivering the **biodiversity offset**, and
- (h) that the offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost, and
- (i) the intention to include and use a **biodiversity offset** management plan that:
 - (i) sets out baseline information on the indigenous biodiversity that is potentially impacted by the proposed activity at both the donor and recipient sites, and
 - (ii) demonstrates how the requirements set out in this schedule will be carried out, and
 - (iii) identifies the monitoring approach that will be used to demonstrate how the matters set out in this schedule have been addressed over an appropriate timeframe.

SCHEDULE G3: PRINCIPLES TO BE APPLIED WHEN PROPOSING AND CONSIDERING BIODIVERSITY COMPENSATION

This schedule details the principles that will be used to guide the development of proposals for **biodiversity compensation**. These principles will be used when assessing the adequacy of proposals for the design and implementation of **biodiversity compensation** as part of resource consents issued under this Plan.

Any **biodiversity compensation** proposed to manage adverse effects on biodiversity under Policies P32 and P39A should be designed and implemented with regard to any current guidance or direction from central government in relation to **biodiversity compensation**.

Each of the following principles must be applied:

1. Adherence to the effects management hierarchy

The proposed **biodiversity compensation** will be assessed in accordance with the effects management hierarchy set out in Policies P32 and P39A. Any proposal for **biodiversity compensation** will demonstrate how it addresses the **residual adverse effects** of the activity.

2. Limits to **biodiversity compensation**

Consideration of **biodiversity compensation** is inappropriate where an activity is anticipated to cause **residual adverse effects** on an area after **biodiversity compensation** has been implemented where:

- (i) the ecosystems or species are “threatened” (as defined by the New Zealand Threat Classification System categories: Nationally Critical (NC), Nationally Endangered (NE), and Nationally Vulnerable (NV)), or
- (ii) the ecosystem is naturally uncommon².

3. Additional conservation outcomes

Any proposal for **biodiversity compensation** will demonstrate that the actions taken to achieve positive effects on biodiversity are additional to what would have occurred without the proposed **biodiversity compensation**, including any activities required by any associated resource consent/s.

4. Landscape context

Any proposals for **biodiversity compensation** will:

- (a) demonstrate that positive effects are achieved preferentially, first at the site, then the relevant catchment, then within the ecological

1. A description of the 72 naturally uncommon ecosystems in New Zealand is provided in Wisser, Susan K et al “New Zealand’s Naturally Uncommon Ecosystems” 2013 available at www.landcareresearch.co.nz/publications/naturally-uncommon-ecosystems

district, except where there is an appropriate ecological rationale for doing otherwise, and

- (b) complement and contribute to the protection of significant indigenous vegetation, or the habitats of threatened fauna at the local, regional or national level, and
- (c) take into account available information on the full range of biological, social and cultural values of biodiversity and supports an ecosystem-scale approach, and
- (d) take into consideration other likely future developments, such as competing land use pressures, within the landscape.

5. Long-term outcomes

Any proposals for **biodiversity compensation** should be based on an adaptive management approach, incorporating monitoring and evaluation, with the objective of securing outcomes that last at least as long as the activity's impacts, and preferably in perpetuity. The proposed **biodiversity compensation** will:

- (a) demonstrate that management arrangements, legal arrangements (e.g. covenants) and financial arrangements (e.g. bonds) are in place that allow the positive effects to endure as long as the residual adverse effects of the activity, and preferably in perpetuity, and
- (b) be able to be implemented and enforced in line with any resource consent conditions associated with the activity. These conditions should include:
 - (i) specific, measurable and time-bound targets, and
 - (ii) mechanisms for adaptive management using the results of periodic monitoring and evaluation against identified milestones to determine whether the **biodiversity compensation** is on track and how to rectify if necessary, and
- (c) establish roles and responsibilities for managing, governing, monitoring and enforcing the **biodiversity compensation**, and
- (d) undertake methods by which analysis will identify when milestones of the **biodiversity compensation** are not achieved, and the causes of non-achievement, and how to revise the **biodiversity compensation** management plan to avoid similar occurrences.

6. Scale of **biodiversity compensation**

The values to be lost through the activity to which the **biodiversity compensation** applies must be addressed by positive effects for

indigenous biodiversity that outweigh the adverse effects on indigenous biodiversity.

Any proposals for **biodiversity compensation** will demonstrate:

- (a) that an explicit calculation of loss and gain has been undertaken as the basis for the **biodiversity compensation** design, and
- (b) that the **biodiversity compensation** design and implementation includes provisions for addressing sources of uncertainty and risk of failure in delivering the **biodiversity compensation**, and
- (c) that appropriate expertise and proven methods are available to design and implement an adequate **biodiversity compensation**.