

Appendix I – August 2024 Council Report, Minutes, and Resolution

COUNCIL REPORT

Indigenous Biodiversity Management

Document Information

Report To:	Policy and Regulatory Committee
Meeting Date:	Tuesday, 13 August 2024
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Confidentiality:	Public excluded

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with section 46A (8) and 46A (9) of the Local Government Official Information and Meetings Act 1987, being a report the Gore District Council Chief Executive reasonably expects will be discussed with the public excluded.

To enable the Council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

Purpose

1. To inform the Committee of the Council's biodiversity obligations and progress to date;
2. To decide whether to continue mapping indigenous biodiversity areas; and
3. To consider a range of non-regulatory funding options to help achieve biodiversity obligations.

Recommendation

4. That the Policy and Regulatory Committee recommends to Council:
 - a) THAT it receives the report and supporting information.
 - b) AND THAT in the short-term Significant Natural Areas (SNA)/ Significant Indigenous Vegetation (SIV) and indigenous biodiversity mapping continues for landowners who are willing to have mapping undertaken.
 - c) AND THAT this mapping is utilised to inform the Proposed District Plan Hearings in February 2025.

- d) AND THAT following the Proposed District Plan Hearings in February 2025 it be recommended to Council to consider whether it is necessary to allocate \$750,000 for ecological assessments and detailed mapping of Significant Natural Areas (SNA)/ Significant Indigenous Vegetation (SIV) Areas in the Long Term Plan;
- e) AND THAT Council staff consult with biodiversity stakeholders and landowners to consider an appropriate from of rates remissions for Significant Natural Areas (SNA)/ Significant Indigenous Vegetation (SIV) Areas landowners;
- f) AND THAT Council liaise with Environment Southland to request allocation of \$750,000 in their Long Term/Annual Plan to fund ecological assessments and mapping of Significant Natural Areas (SNA)/ Significant Indigenous Vegetation (SIV) Areas in Gore and consider a regional rates remission policy for SNA/SIV landowners;
- g) AND THAT Council liaise with Associate Minister – Environment (Andrew Hoggard) and philanthropic organisations to investigate what alternative funding sources are available for biodiversity enhancement.

Executive Summary

5. The Council has obligations under the Resource Management Act (RMA) to maintain indigenous biological diversity and protect subset areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna (SIV). The National Policy Statement for Indigenous Biodiversity (NPS-IB) (July 2023) effectively codifies areas of Significant Indigenous Vegetation or Significant Habitats of Indigenous Fauna (SIVs) as Significant Natural Areas (SNAs) and requires Councils to map SNAs using set criteria at the time of its 10-yearly plan review (s3.9(3)). Council also has obligations under the Southland Regional Policy Statement (RPS) to maintain indigenous biodiversity and identify and protect SIVs.
6. When the proposed District Plan (PDP) was notified in August 2023, the Council signalled that a variation to the Ecosystems and Indigenous Biodiversity (ECO) chapter of the PDP would be undertaken to map SNAs in conjunction with stakeholders and landowners. This was on the basis that funding for mapping would largely be provided by Environment Southland / Central Government and because mapping was required by the NPS-IB as part of the PDP notification.
7. The Council established the Biodiversity Technical Working Group (BTWG) in late 2023 to discuss SNA mapping which involved testing existing mapping (based on RPS criteria) against NPS-IB criteria. This work resulted in significant refinements to the SNAs across the district. The next step was to ground truth this mapping and get feedback on potential financial assistance from landowners in early 2024. However, this work was stalled on the basis that amendments to the NPS-IB were imminent.
8. In May 2023 the Resource Management (Freshwater and Other Matters) Amendment Bill was released. The Bill seeks to postpone the requirements to map SNAs but still requires Councils to maintain indigenous biological diversity and protect subset SIV areas. At the same time the Government also cut Environment Southland's funding for SNA mapping.
9. Through the PDP process Council staff also established the Stoney Creek Station Working Group in May 2024 to, amongst other things, identify indigenous biodiversity values on the station and develop a refined set of draft District Plan provisions for the station ahead of the hearing for the ECO Chapter in early 2025.
10. This report assesses the options for mapping SNAs /SIV areas in light of the above and recommends that the mapping of indigenous biodiversity and SIV areas is continued with

landowner agreement. This mapping work will be provided to submitters on the ECO chapter as part of the standard PDP hearing process and will be used to determine whether a further variation to the PDP and more extensive mapping is required.

11. This report also considers a range of non-regulatory support for landowners with SNA/SIV areas which are on their land so that this can be discussed with directly affected landowners. It is recommended that the Council consider offering rates relief for the proportion of land covered in SNA/SIV areas as part of the LTP/Annual Plan process and encourage landowners to apply to Environment Southland for Environmental Enhancement Funding (EEF) for biodiversity enhancement work.

Context

12. The Council resolved to notify the PDP on 25 July 2023. The PDP was publicly notified on August 31, 2023. The PDP includes an Ecosystems and Indigenous Biodiversity (Biodiversity) Chapter. In the 25 July 2023 Council Meeting Agenda item and in the Biodiversity Chapter it was noted that a variation to the PDP would be required to incorporate SNA mapping and that financial assistance for owners of land with SNAs would need to be further considered by Council. It was also proposed to establish a Biodiversity Working Group to help guide the development of the variation to the PDP. The BTWG is made up of key stakeholders including Federated Farmers, other interest groups, Government Agencies and Southland Councils. The BTWG met in November and December 2023 and started considering SNA mapping. Preliminary mapping information has been developed which would be shared with landowners following further detailed analysis. The BTWG also signalled the importance of engaging with landowners on a wider range of matters beyond SNA mapping including education materials and financial assistance opportunities.
13. In February 2024, the BTWG met to get an overview and a link to the draft mapping so that preliminary feedback could be provided. This work has refined the remote SNA mapping to reduce overall SNA coverage in Gore because the NPS-IB criteria are less restrictive than the RPS criteria and initial mapping included a number of errors (Refer Appendix 1). In March 2024 it became apparent that RMA reform relating to SNA mapping was imminent, so the BTWG work was stalled under the direction of the Council's Senior Management Team.
14. On 23 May 2024, a Bill¹ was released that proposed postponing the requirement for SNA mapping for three years. The Bill does not remove the need to protect areas of significant indigenous vegetation or significant habitats of indigenous fauna and maintain indigenous biodiversity but rather places a focus on areas that are identified in District Plans ahead of the Bill being enacted late in 2024.
15. The Operative District Plan (ODP) only maps two SIV areas on public land in the Waterfall Range (Dolamore Park) and the Pukerau Red Tussock Reserve. These are also mapped in the PDP as SNAs. The PDP also has rules protecting the SNA's that are described in Appendix 4 of the PDP as they are not currently mapped.
16. The Council has also received a lot of feedback from the community on the ECO chapter of the PDP by way of formal submissions (38) and meetings. This includes a request by Stoney Creek Station (a submitter on the PDP) to withdraw the ECO chapter. Instead of withdrawing the ECO chapter, the Council resolved (21 November 2023) to withdraw the vegetation clearance

¹ Resource Management (Freshwater and Other Matters) Amendment Bill

limit associated with fencing and to engage with relevant stakeholders to develop a revised rule which is less restrictive for farming practices.

17. On 3 May 2024, Council's Interim Chief Executive also signed a confidential agreement with Stoney Creek Station to establish a Working Group to work together to refine the PDP provisions relating to the Stoney Creek Station prior to relevant hearing in February 2025. The Council representatives include Jason Domigan, Councillor Gardyne, Mike Moore (Landscape Architect), Andrew Wells (Ecologist), and Matt Heale and Mishka Banhidi (Planners). Amongst other things, this agreement includes the identification/mapping of indigenous biodiversity areas on the Station. A site meeting was held on 24 July 2024 to assess the values on the Station. This meeting went well, and consequently other submitters (Wantwood Station) have requested a similar approach.
18. The PDP also notes that to maintain indigenous biodiversity free ecological surveys, financial support, rates remissions and advice and support should be considered² in order to give effect to the NPS-IB³ and RPS⁴ requirements. This report considers biodiversity financial assistance opportunities so this can form part of the package that is discussed with stakeholders and affected landowners. A communications /engagement plan is also in development to support this process.

Discussion

RMA obligations

19. The RMA requires that the PDP recognises and provides for matters of national importance. These matters include the protection of SIV areas⁵. There is also a broader obligation to maintain indigenous biological diversity⁶. This protection typically recognises the public or environmental benefit derived from these areas and can restrict activities on private property. A SIV is typically a subset of indigenous biological diversity. For example, a SIV is typically an area of pristine native bush that must be protected and so what you can do in that area is very restricted. However, maintaining indigenous biodiversity might involve ensuring connections between different SIV's are maintained via methods such as weed and pest management or restrictions on buildings and indigenous vegetation clearance in areas outside of the SIVs, such as along stream corridors. An SIV might also have a particular density of indigenous biodiversity to qualify as an SIV but other areas would also have indigenous biodiversity values (eg) dense versus less dense areas of Red Tussock.

National Policy Statement for Indigenous Biodiversity

20. District Plans have to give effect to National Policy Statements including the National Policy Statement Indigenous Biodiversity (NPS-IB). The NPS-IB requires the maintenance of

² ECO-P10

³ NPS-IB Objective 2.1(1)(b), Policy 10, Policy 17, s3.5(1)(e) and (f), s3.21(3)

⁴ RPS Policy BIO.5 – Support biodiversity initiatives, Policy BIO.7 – Active management, Policy BIO.9 – Biodiversity offsets and environmental compensation, Policy BIO.10 – Role of Landowners, Method BIO.3 – Collaboration, Method BIO.4 Pest plant and pest animal management, Method BIO.7 – Maintain Indigenous Biodiversity (including via non-regulatory means), Method BIO.13 – Education, public awareness and promotion, and **Method BIO.14 – Financial Assistance**

⁵ RMA S6(c)

⁶ RMA s31(1)(b)(iii) outlines that the councils functions include control of any actual or potential effects of the use, development and protection of land including for the purpose of the maintenance of indigenous biological diversity. Biological diversity is defined in section 2 of the RMA as the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems

indigenous biodiversity and the identification and protection of Significant Natural Areas (SNAs). This will be achieved by:

- Working with key stakeholders and mana whenua to map and protect SNAs meeting relevant criteria by 2028 and aligning district plans by 2031 or as part of the 10 yearly review;
- Recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity and protecting taonga species;
- Recognising people and communities, including landowners, as stewards;
- Protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity;
- Providing for social, economic, and cultural wellbeing of people and communities now and in the future;
- Providing for existing activities such as improved pasture within and outside SNAs;
- Providing for works enabled in covenant and management plans, works that are necessary to address high risks to public health and safety, and works on specified Māori land; and
- District plans incorporating a range of relevant definitions.

Resource Management (Freshwater and Other Matters) Amendment Bill

21. As noted, the Resource Management (Freshwater and Other Matters) Amendment Bill was released in May 2024. This Bill includes the deferral of the requirements to map SNAs for three years from commencement of the Resource Management Amendment Act (RMAA) which is anticipated to be at the end of 2024 (s78). However, the Bill also notes that this deferral does not affect any function or requirement under other provisions of the RMA relating to the maintenance of indigenous biological diversity including the need to protect areas of significant indigenous vegetation or significant habitats of indigenous fauna (s78(4)). The Bill also means that any SIVs included in the PDP is not to be treated as an SNA unless it is mapped prior to commencement of the RMAA (s78(5) and (6)).
22. In other words, SNA mapping **can** be deferred until the end of 2027 but Council still has obligations to protect areas of significant indigenous vegetation or significant habitats of indigenous fauna and maintain indigenous biological diversity in the meantime.

Southland Regional Policy Statement

23. The PDP is also required to give effect to the Southland Regional Policy Statement 2017 (RPS) as required by section 75(3) of the RMA. The RPS sets out the framework and priorities for resource management in the region. The RPS identifies the regionally significant issues around the management of the Region's natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods).
24. Like the NPS-IB the RPS requires identification (using more restrictive criteria than the NPS-IB) and protection of significant indigenous vegetation or significant habitats of indigenous fauna⁷

⁷ **Policy BIO.1 – Identification of significant areas** - Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna using the following: (a) the Schedule of Threatened, At Risk and Rare Habitat Types in Appendix 2, which provides an indication of areas likely to be significant; (b) ecological assessments undertaken by a suitably qualified ecologist using the ecological significance criteria listed in Appendix 3 to ascertain whether an area listed is significant or otherwise; (c) the ecological significance criteria listed in Appendix 3, which incorporate the following matters: (i)

along with maintenance of wider indigenous biodiversity values⁸ and the need to work with tangata whenua and landowners. The RPS does not apply a timeframe for mapping.

25. The RPS also signals a need to promote biodiversity initiatives, active weed and pest management, monitoring, financial assistance and biodiversity offsets along with recognising the role of landowners in biodiversity protection.

The Proposed District Plan

26. The ECO chapter of the PDP recognises the need to maintain indigenous biological diversity through a framework where indigenous vegetation clearance⁹ and land disturbance requires resource consent unless the works are for a range of purposes including fencing and small-scale infrastructure, maintenance of improved pasture, and the removal of weeds and pests.
27. In the absence of SNA mapping the PDP relies on the definition of SNA which includes areas meeting the criteria in Appendix 4 of the PDP, that mirrors the criteria from the NPS-IB. ECO-P1 notes that SNAs include the Waterfall Range and Pukerau Red Tussock Reserve (public land already included in the ODP as SNAs) and that a Variation to the PDP will be undertaken to map new areas that meet the NPS-IB criteria.
28. At the time of notification of the PDP it was anticipated that a variation would be undertaken to map SNAs. The mapping could then largely be relied on to help people understand the location of significant indigenous vegetation spatially, and more easily determine compliance with the PDP rule framework. Work has already commenced to remotely map new SNAs in accordance with NPS-IB criteria and this work has been shared with stakeholders as part of the BTWG and Stoney Creek Working Group processes. This work has and will continue to result in positive refinements to mapping due to further sense checking / ground truthing.
29. The PDP is only one tool that the Council must use to give effect to statutory obligations outlined above. A range of non-regulatory methods are also used by Councils around New Zealand also and these are discussed below.

Options

30. The Resource Management (Freshwater and Other Matters) Amendment Bill indicates that SNA mapping will not have relevance once the Bill is enacted, for three years. If the Council is inclined to push on with SNA mapping then this would need to be completed prior to the Bill being enacted for the SNA provisions of the NPS-IB to have effect. Realistically this would rely on remote mapping with no opportunity for landowner engagement apart from Stoney Creek

representativeness; (ii) rarity or distinctiveness; (iii) diversity and pattern; and (iv) ecological context; (d) in collaboration with landowners, the investigation and identification of areas of indigenous vegetation on private land that are likely to be significant.

Policy BIO.2 – Protect significant areas - Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the Southland region will be protected and, where appropriate, enhanced.

Policy BIO.4 – Maintain indigenous biodiversity - Manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state, and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities.

⁸ Refer Appendix 2

⁹ **Indigenous vegetation** - Has the same meaning as per the National Planning Standard for Indigenous Biodiversity – means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district in which that area is located.

Indigenous vegetation clearance - Means the clearing or removal of indigenous vegetation by any means, including cutting, crushing, cultivation, irrigation, chemical application, drainage, stop banking, overplanting, burning or any other mechanical means as well as mob stocking.

and potentially Wantwood Stations. Alternatively, the Council could continue mapping though until the end of 2027 when SNA mapping may have effect. Regardless of whether SNA mapping continues, the PDP is still required to protect SIV areas and maintain indigenous biological diversity.

31. Environment Southland has been offering free mapping and ecological assessments of SNA's across Southland as part of their Biodiversity Action on the Ground Project utilising Central Government "Jobs for Nature" funding. However, Ministry for the Environment (MfE) have advised that this funding has been suspended by the Coalition Government and is unlikely to continue in the short term.
32. As the PDP currently only describes, rather than maps, SNAs/SIVs landowners will need to provide an ecological assessment if they want to undertake projects that require resource consent within SNA areas. Consequently, the Council has been funding the remote mapping of SNA's as part of the District Plan Review Project to clarify the general location of SNAs. To date this has cost approximately \$20,000. It is likely that completing detailed ecological assessments for mapped SNA's in Gore will cost between \$750,000 and \$1.5 million.¹⁰
33. In light of the Amendment Bill, RMA obligations and PDP process the Council has a number of options in terms of mapping. These include:
 - a) Pushing on with SNA mapping ahead of the Resource Management (Freshwater and Other Matters) Amendment Bill being enacted by the end of 2024.
 - b) Not progressing SNA mapping and relying on the two existing areas identified in the ODP being the Pukerau Red Tussock Reserve and Waterfall Range, and the description of SNAs in the PDP.
 - c) Continuing to work with landowners to map SNAs over the next 3 years.
 - d) Mapping all areas of indigenous biodiversity and significant indigenous vegetation or significant habitats of indigenous fauna (SIV) areas.
 - e) Continuing to map SIV areas and areas of indigenous biodiversity with willing landowners to inform District Plan hearings and review requirements for additional mapping following this.
34. A table outlining the costs and benefits of the various options is attached at Appendix 3.

Recommended Option

35. It is recommended that the Council continues to work with large landowners such as Stoney Creek Station and Wantwood Station to map indigenous biodiversity areas and SIVs as part of the PDP hearing process (option e).
36. This information can then be considered by other landowners and stakeholders (such as Department of Conservation and Federated Farmers) who have submitted on the PDP as part of the hearing process.
37. Once this mapping process is completed for the hearings in February 2025 the Council can further consider whether there is a need for a variation to the PDP to include additional mapping and amended rules

Ongoing mapping options

38. The Council may also want to consider whether additional funds should be included in the LTP/Annual Plan when more is understood about NPS-IB and RMA reform mapping requirements.

¹⁰ 150 sites costing between \$5,000 to \$10,000 per assessment with GIS mapping costs built in

39. At the same time opportunities for financial assistance and education should also be explored so that landowners understand the full implications of having SIVs and indigenous biodiversity areas on their land.

Linkage to Strategic Plan Priorities

40. The recommendations in this report align with the Council's vision and community outcome. In particular, it aligns with Community Outcome 6: We value and respect our environment.
41. The recommended options in this report seek to provide a pragmatic and balanced approach to map SIV areas and areas of indigenous biodiversity. This will ensure we are working towards meeting our legislative requirements while doing it in a manner that works alongside landowners in our community to achieve good quality environmental outcomes.

Consultation (Internal and External)

42. Formal consultation has been undertaken as part of the PDP process and ongoing engagement with the key stakeholders of Stoney Creek Station and Wantwood Station continue. The outcome of these discussions will inform the PDP process and also establish a process to work with other landowners in the District.

Financial Considerations

Rates Remissions

43. Gore District Council's Rates Remission Policy 2021 states that *"all land detailed in Part 1 Schedule 1 of the Local Government (Rating) Act 2002 will be treated as non-rateable."* Part 1 Schedule 1 of the Local Government (Rating) Act 2002 outlines that non-rateable land includes:
- Land owned or used by, and for the purpose of the QEII Trust (clause 5), and
 - Land owned by a society or association of persons for conservation purposes with no pecuniary profit and public access (clause 3)
44. Therefore, land must be in a QEII Trust or owned by a society and have public access in order for it to qualify as non-rateable. However, the Local Government (Rating) Act 2002 allows Councils to provide rates remissions through their rates remission policy for other matters.
45. Attached at Appendix 4 are examples of a several Council's rates remission policies from across New Zealand.
46. Most Councils require SNAs/SIVs to be protected via legal mechanism such as a covenant before considering a remission. For example, Nelson City Council (a unitary authority) provides remissions to *"preserve and promote natural resources and heritage by encouraging protection of land held for natural, historical or cultural purposes."* Ratepayers who own rating units that have natural features that is voluntarily protected may qualify for a remission and evidence of the protected status of the rating unit, such as a copy of the covenant or other legal mechanism, is required. The level of remission is determined by criteria including the extent of preservation, the degree to which features are present and their limits on the economic use of the land. The Council may specify certain conditions before a remission is granted. Nelson City Council provides its own covenants rather than relying on QEII covenants as these have been seen to be too restrictive by some landowners.
47. While most Councils require formal permanent legal protection for remission policies to apply, there is no reason why protection under the District Plan would also not partially qualify for a

remission. Selwyn District Council have a sliding scale for rates remissions depending on the level of protection. 100% for permanent protection, 50% for 25 years protection, and 25% for general protection.

48. Notably, while remissions are provided for sports associations, halls owned by clubs and societies, and Māori Freehold land, Environment Southland do not provide specific rates remissions for biodiversity protection, but other regional Councils such as Waikato Regional Council do.
49. It is recommended the Council consider a number of factors when deciding to provide a rates remission for SNA/SIV ratepayers including:
 - The cost implications to all ratepayers of providing SNA/SIV remissions for in the context of rates affordability,
 - The public good provided by protecting SNAs/SIVs,
 - Whether providing a rates remission would ease the impacts of having an SNA/SIV on your land.
50. The potential cost implications for all ratepayers of SNA/SIV remissions has been calculated as follows:
 - Preliminary mapping of SNAs indicates that there are SNA sites on approximately 150 properties in Gore; and
 - Council staff have calculated that if full remissions were provided to all SNA ratepayers this would cost approximately \$111,000 per annum. This would mean an increase of approximately 0.435% in rates to offset these remissions.
51. The public good elements of SNA/SIV protection include enhanced amenity and ecological services including support for food production due to shelter, biological control of pests and disease, pollination, stabilising slopes, improving air quality, noise reduction, human health, education, tourism, sense of identity, medical practices (rongoā), Māori knowledge (mātauranga Māori), and food and resource gathering (mahinga kai).¹¹
52. The PDP ECO chapter limits development opportunities within SNAs. On average SNAs cover approximately 20% of the properties they are located on in Gore. This leaves approximately 80% of SNA properties that are not generally constrained in terms of vegetation clearance and land disturbance. There are a number of activities that can occur within SNAs without requiring resource consent including:
 - Limited works associated with fencing, vehicle tracks, roads, critical infrastructure, walkways, firebreaks, dams, waterway crossings, or network utilities.
 - Where vegetation is causing an imminent danger to human life, structures, and infrastructure or the works are required to address a high risk to public health or safety.
 - For Mahinga kai activities or for other Ngāi Tahu cultural purposes where the clearance is by mana whenua and in accordance with tikanga protocols.
 - For the safe operation or maintenance of the National Grid.
 - For maintenance of improved pasture.
 - The removal of exotic species generally and pest plants and pest animals in accordance with any Regional Pest Management Plan or the Biosecurity Act.

¹¹ NPS-IB Cost Benefit Analysis Market Economics Consulting - December 2022 – Page 187

- The works are undertaken in accordance with a Biodiversity Covenant.
- The works are associated with the harvest of indigenous tree species in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949/15.
- The works relate to indigenous vegetation that was deliberately planted:
 - Within a domestic garden; or
 - For the use of screening/shelter belt purposes (such as farm hedgerows). The planting of exotic weed species and the intentional release or farming of animal pests should be avoided. Lists of exotic weed species and animal pests can be found in the Southland Regional Pest Management Plan as outlined below.

53. Given the relatively low annual cost of rates remissions (\$111,000), the level of public good potential, and the potential impact on landowners it is recommended that the Council further investigate amending the rates remission policy to cover mapped SNAs/SIVs. This matter should be discussed with affected landowners as part of the wider engagement planned by the BTWG and brought back to Council for further discussion as part of the LTP/Annual Plan process. Council should also approach Environment Southland to provide rates remissions for SNA/SIV landowners. Whether the Councils provide a sliding scale of remission based on the level of protection should also be discussed with landowners and considered through the LTP/Annual process.

Funding for Biodiversity Protection

54. Environment Southland has established the Environmental Enhancement Fund (EEF). The focus of the fund is to protect and improve biodiversity areas, rather than creating new areas like new wetlands or riparian buffers.
55. Examples of actions supported by the fund include:
- pest animal and weed control
 - fencing
 - work to restore the natural flow of water
 - native planting and plant maintenance.
56. Landowners, trusts, individuals and community groups working anywhere in Southland on either private land, conservation land or council reserves can apply.
57. Environment Southland has allocated \$300,000 to the fund for each financial year until June 2025.
58. A grant from the EEF will only cover the direct cost of materials and labour used in the project and the EEF will contribute up to 50% of the project costs.
59. People can apply from the 1 March to the 30 April each year. Funded works must be completed and invoices received within the same financial year the grant is approved.
60. In 2023, MfE consulted on a biodiversity credit system to help to conserve habitats and species by enabling landowners, who protect and restore native wildlife, to earn credits for their actions. The credit system would be supported by private sector funding. MfE have advised that the Associate Minister - Environment (Andrew Hoggard) has an interest in continuing this work.
61. There are also a range of alternative funding sources available to community groups via philanthropic organisations such as the Nature Conservancy Fund, the Next Foundation, and

the Southland Trust. Some of these organisations may also fund ecological assessments / mapping.

62. It is recommended that the Council engage with Environment Southland and the Associate Minister - Environment to seek on-going funding for biodiversity enhancement through the EEF, MfE and the private sector as part of the biodiversity credit system. Council should also explore alternative funding streams via philanthropic organisations.

Risks

63. The costs and benefits of different mapping options are outlined in Appendix 3. Option E is the favoured option as this reduces the risks relating to legal challenge, enables a greater level of engagement, spreads the costs associated with mapping, and will ultimately align with final national and regional direction. Recommendations relating to non-regulatory methods such as rates remissions and funding for biodiversity protection will also help to mitigate the risks of landowner rejection to the regulatory/mapping response outlined in this report.

Significance & Engagement Policy

Significance

64. Staff have considered the Significance and Engagement Policy and have assessed that the recommendation(s) in this report does not meet the thresholds and criteria for determining a high degree of significance.

Engagement

65. Community views and preferences are already known to the Council through the PDP formal consultation process and the submissions received.
66. Given the level of significance, it is recommended that any process agreed for mapping SIVs and indigenous biodiversity has engagement directly with landowners as being undertaken with Stoney Creek and Wantwood Stations.

Reference

- Resource Management Act 1991¹²
- Resource Management (Freshwater and Other Matters) Amendment Bill – 2024¹³
- National Policy Statement – Indigenous Biodiversity – 2023¹⁴
- Southland Regional Policy Statement - 2017¹⁵
- Proposed Gore District Plan¹⁶

¹² <https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

¹³ <https://www.legislation.govt.nz/bill/government/2024/0047/latest/LMS962882.html>

¹⁴ <https://environment.govt.nz/assets/publications/biodiversity/National-Policy-Statement-for-Indigenous-Biodiversity.pdf>

¹⁵ <https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-policy-statement/documents/Southland%20Regional%20Policy%20Statement%202017.pdf>

¹⁶ <https://lets.talk.goredc.govt.nz/hub-page/proposed-district-plan>

- Environmental enhancement Fund – Environment Southland¹⁷

Attachments

Appendix 1 – Comparison Between 2011, 2019, and 2024 Maps

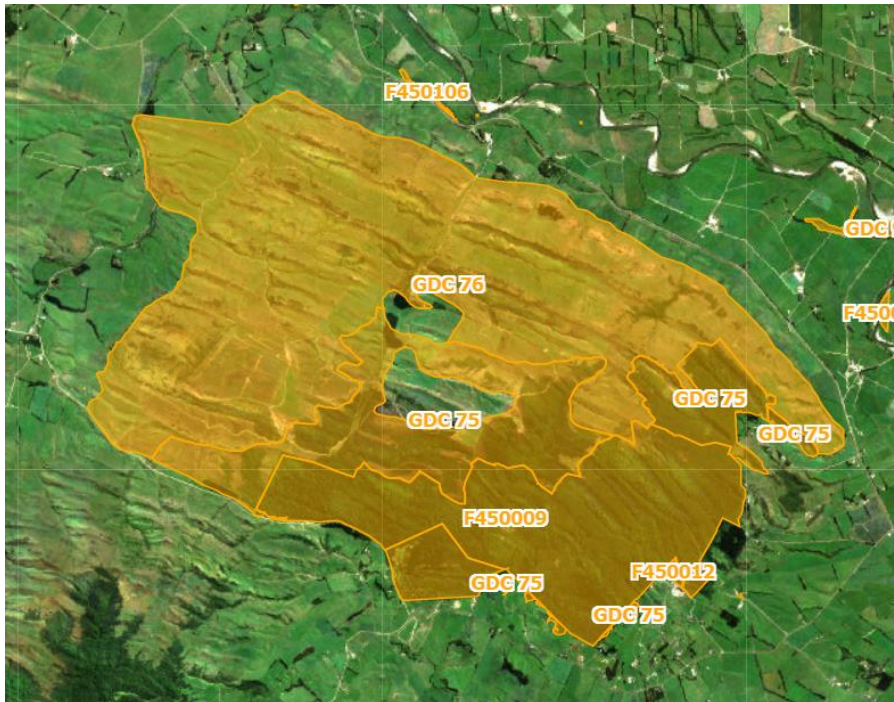
Appendix 2 – RPS Explanation to Mapping and Indigenous Biodiversity

Appendix 3 – Cost and Benefits of Mapping Options

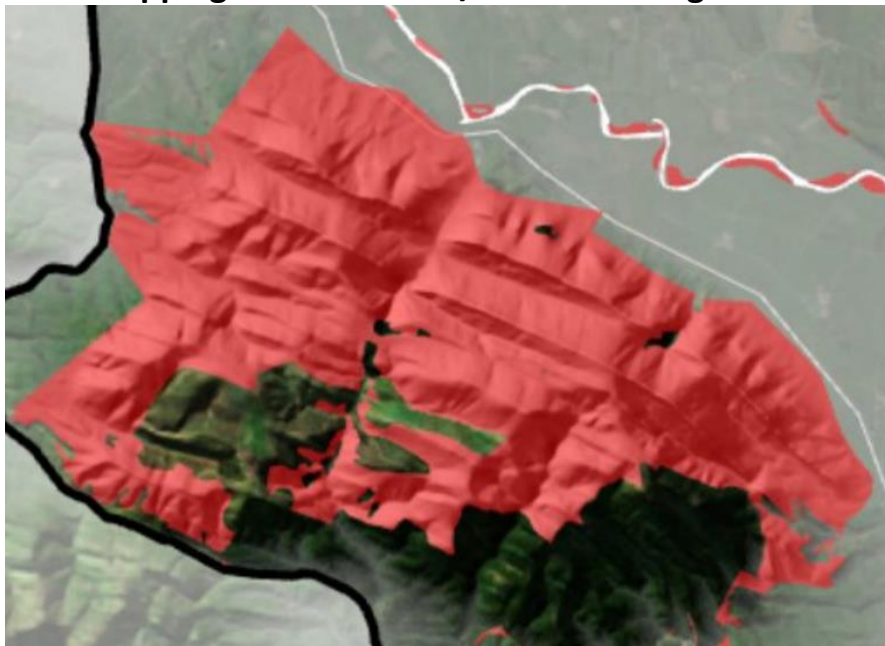
Appendix 4 – Examples of Rates Remission Policies for SNA's

¹⁷ <https://www.es.govt.nz/about-us/funding-and-support/environmental-enhancement-fund>

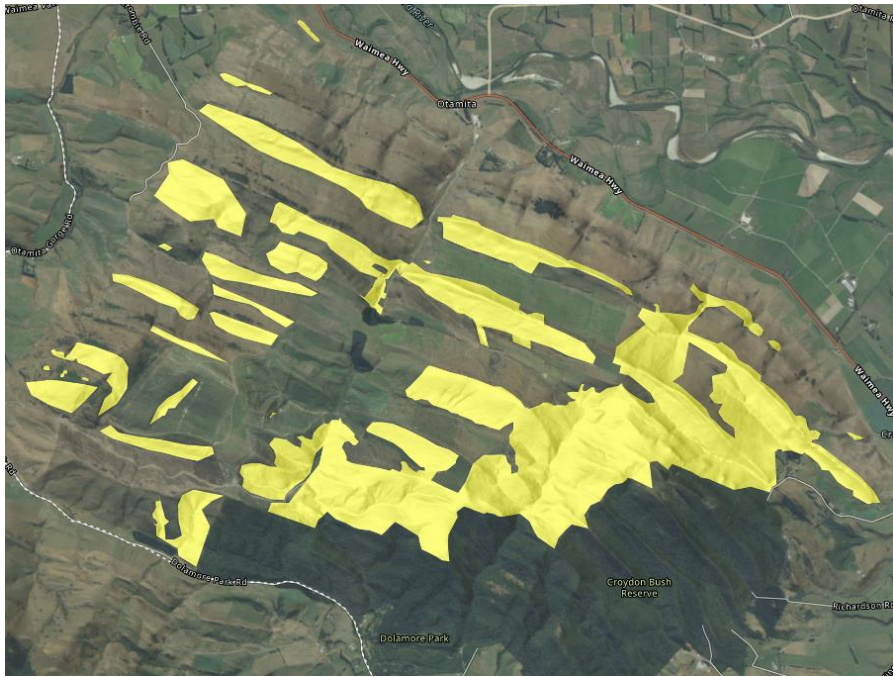
Appendix 1 – Comparison between 2011, 2019 and 2024 Maps
2011 Mapping - Hokonui Hills/Waterfall Range



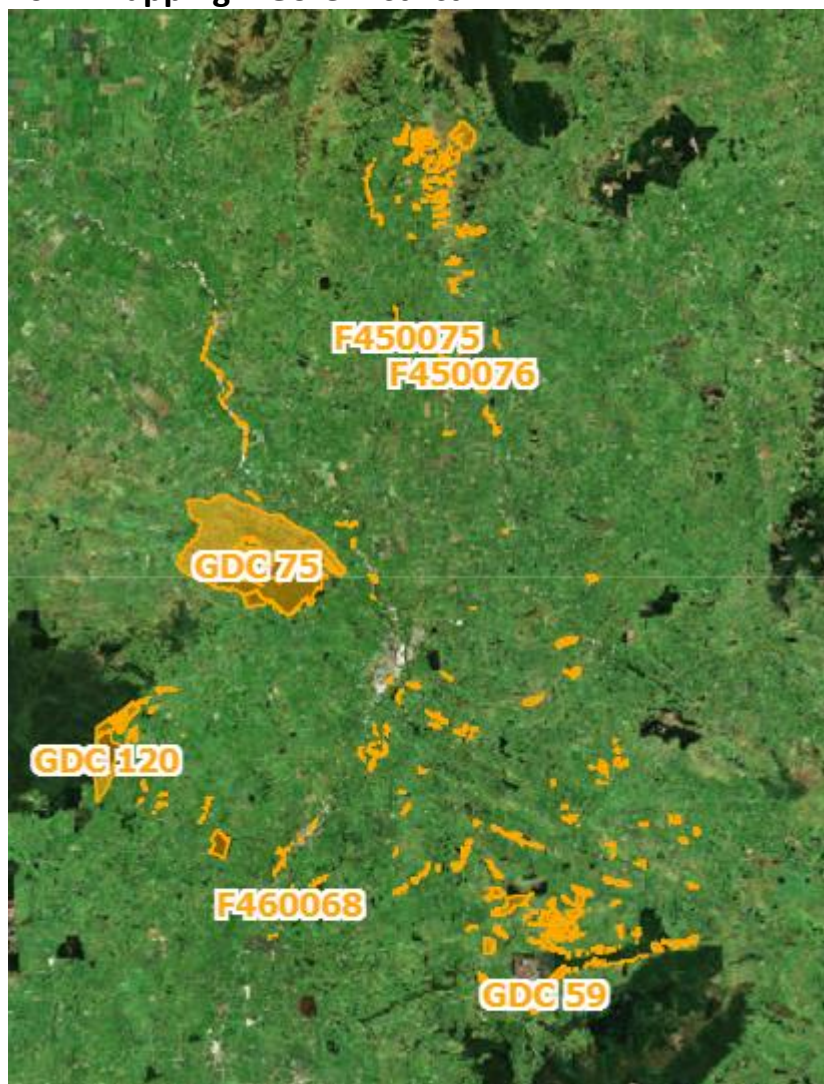
2019 Mapping - Hokonui Hills/Waterfall Range



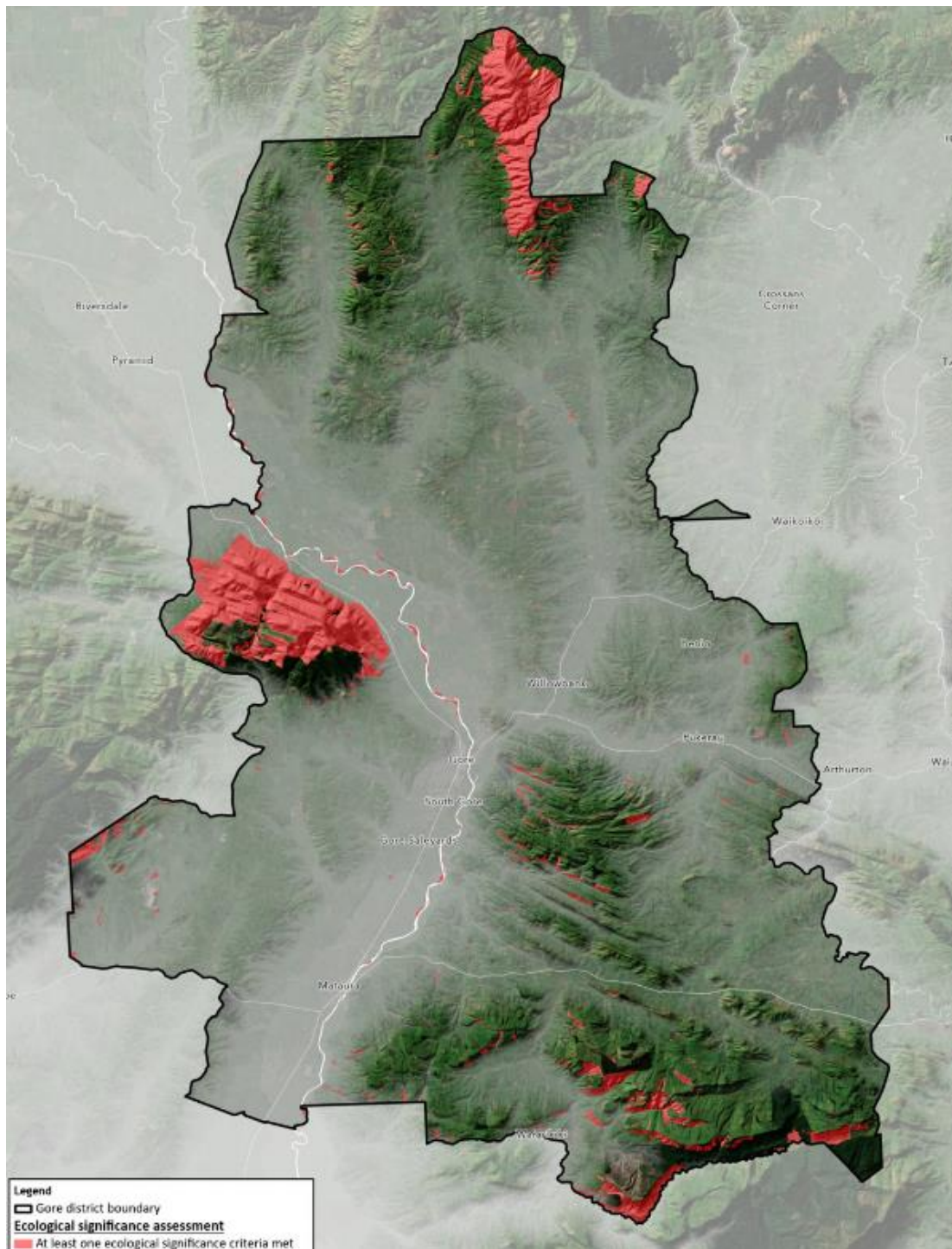
2024 Mapping - Hokonui Hills/Waterfall Range



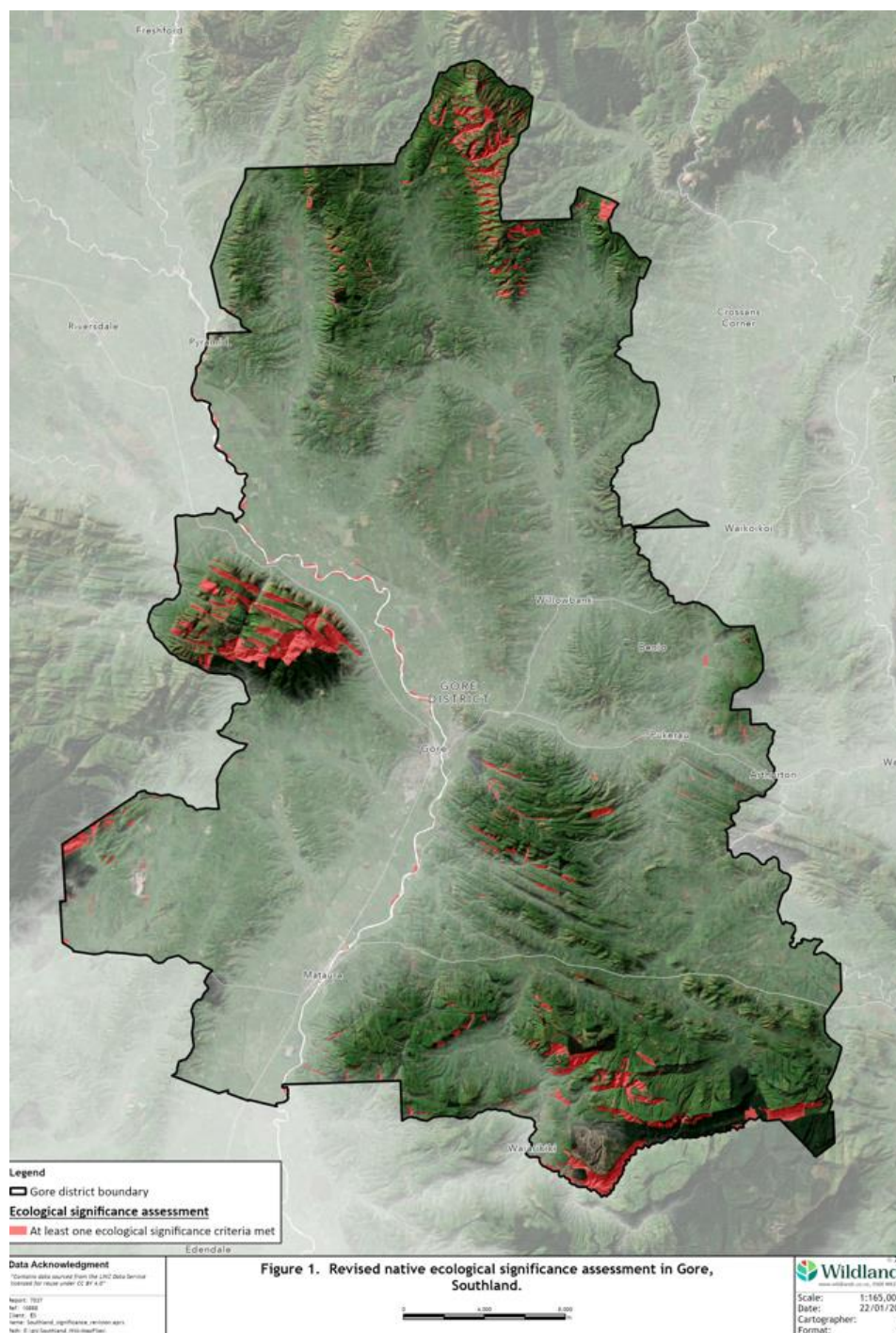
2011 Mapping – Gore District



2019 Mapping – Gore District



2024 Mapping – Gore District



Appendix 2 – RPS Explanation to Mapping and Indigenous Biodiversity

There are no fixed criteria for mapping SNAs or the areas of significant indigenous vegetation or significant habitats of indigenous fauna areas in the RMA. The RPS explanation to Policy BIO.1 – Identification of significant areas notes the following:

“ The purpose of Policy BIO.1 is to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna across the Southland region.

The first step in ascertaining significance has been the compilation of the Schedule of Threatened, At Risk and Rare Habitat Types (the Schedule) in Appendix 2. The Schedule describes the characteristics of habitat types as they are expressed at a regional scale and provides a broad-brush approach to identifying areas that are potentially significant. The Schedule was developed using a desktop exercise based on the approach used by the Horizons Regional Council in developing the One Plan (19 December 2014).

A technical working group including Southland Regional Council staff and external experts was used to compile the Schedule. It is important to note that the information in the Schedule will continue to be updated with the intent that the Schedule will develop into a comprehensive database of significant indigenous vegetation and significant habitat of indigenous fauna throughout the region. The Schedule will be supported by a GIS layer developed by Southland Regional Council to provide a visual representation of the habitat types across the region. This will be updated as information becomes available through ground truthing, ecological assessments and data provided by other agencies such as QEII, Landcare Trust and DOC.

The ecological significance criteria listed in Appendix 3 will be applied on a site-specific basis where areas of indigenous vegetation and habitat of indigenous fauna are proposed for clearance or modification. The purpose of a site-specific ecological assessment is to determine whether an affected area is ecologically significant and to establish the effects of, or magnitude of the effect of an activity and the measures required to avoid, remedy or mitigate the effects. Information arising from the assessment will be incorporated into the Schedule (Appendix 2).

Overall, there is limited knowledge of the ecological values of the areas of indigenous vegetation and habitats of indigenous fauna in the Southland region and therefore, a precautionary approach is required by local authorities when considering activities for clearance or modification to any areas of indigenous vegetation and habitats of indigenous fauna. This approach will be necessary until such time as a Regional Biodiversity Strategy is developed and as more information is gathered through the High Value Areas (HVA) programme and other local authority led initiatives.”

The RPS explains the following in relation to the maintenance of indigenous biodiversity:

“Maintenance of indigenous biodiversity is required in addition to protecting identified areas of significant indigenous vegetation and significant habitats of indigenous fauna. This requires regulatory and non-regulatory measures that encourage retention and protection of remaining areas of indigenous biodiversity and their enhancement. It does not necessarily mean maintaining every individual specimen of plant or animal, rather it requires an understanding of the importance of

an area or habitat and its contribution to maintaining genetic, species and ecosystem diversity. Measures that encourage the maintenance of indigenous biodiversity include recognition of: the range of ecosystem services provided by indigenous biodiversity; the importance of ecological connections/corridors and buffer areas; the need to control a range of potential adverse effects of land activities and discharges on indigenous biodiversity; the need to control animal and plant pests; and avoiding, remedying or mitigating adverse effects on indigenous biodiversity.”¹⁸

¹⁸ Refer Explanation/Principal Reasons to Policy BIO.4 – Maintain Indigenous Biodiversity

Appendix 3 – Cost and Benefits of Mapping Options

Option	Costs	Benefits
A. Pushing on with SNA mapping ahead of the Resource Management (Freshwater and Other Matters) Amendment Bill being enacted by the end of 2024.	• Insufficient time for consultation with affected landowners apart from Stoney Creek and Wantwood Stations • Remote mapping may not be accurate leading to legal challenges • Landowner concern	• Areas identified by current remote mapping will be protected • Remote mapping costs will be significantly lower than ground checked maps
B. Not progressing SNA mapping and relying on the two existing areas identified in the Operative District Plan (ODP) being the Pukerau Red Tussock Reserve and Waterfall Range.	• Would not meet the requirements of the RPS to identify and protect areas of significant indigenous vegetation or significant habitats of indigenous fauna • Would not meet the Purpose of the RMA to protect areas of significant indigenous vegetation or significant habitats of indigenous fauna as mapping identifies that there are significantly more areas than the two identified in the ODP • Would not meet the requirements of the NPS-IB to maintain indigenous biological diversity as SNAs and areas of significant indigenous vegetation or significant habitats of indigenous fauna are a subset of these areas and are not identified	• No immediate mapping costs

Option	Costs	Benefits
	• Incomplete mapping may lead to legal challenge • May need to undertake mapping in 2027 (three years after the adoption of the RMA Bill).	
C. Continuing to work with landowners to map SNAs over the next 3 years	• Will achieve the purpose of the RMA, Regional and National direction in the medium term • Some SNA's may be cleared in the three-year period although consent is required for indigenous vegetation clearance in the meantime • Cost of mapping is in the range of \$750,000 to \$1.5m	• Mapping costs could be spread over three years • Landowners will have input into mapping and will be clearer about what vegetation is to be protected on their site. • Less chance of legal challenge due to a greater level of engagement
D. Mapping areas of Indigenous biodiversity and significant indigenous vegetation or significant habitats of indigenous fauna areas	• Will achieve the purpose of the RMA and Regional direction and short-term National direction • Cost of mapping is in the range of \$750,000 to \$1.5m	• May need to review the mapping following the 3-year postponement of SNA mapping under the NPS-IB
E. Continuing to map SIV areas and areas of indigenous biodiversity with willing landowners to inform District Plan hearings and review requirements	• Will achieve the purpose of the RMA and Regional direction and short-term National direction • Cost of mapping could be refined to be \$750,000 depending on longer term need and refinements made to methodology	• Will allow Council to reconsider the need for mapping when more is known about the RMAA. • Mapping costs could be spread over longer term • Refinements can be made to the mapping approach using

Option	Costs	Benefits
for additional mapping following this.		lessons learned from Large Landowners • Potential for Large landowner buy-in and reduced legal challenge • More time for landowner engagement

Appendix 4 – Examples of Rates Remission Policies for SNA's

Nelson City Council RRP – 2020

Rates remission on land protected for natural, historical or cultural conservation purposes

Objective

Rates remission is provided to preserve and promote natural resources and heritage by encouraging the protection of land held for natural, historical or cultural purposes.

Conditions and criteria

Ratepayers who own rating units that have some feature of cultural, natural or historical heritage that is voluntarily protected may qualify for remission of rates under this policy.

Land that is non-rateable under section 8 of the Local Government (Rating) Act, and is liable only for rates for water supply or sewage disposal will not qualify for remission under this part of the policy.

Applications must be made in writing and be supported by documented evidence of the protected status of the rating unit, for example a copy of the covenant or other legal mechanism.

In considering any application for remission of rates under this part of the policy Council will consider the following criteria.

Conditions and criteria

- The extent to which the preservation of natural heritage will be promoted by granting remission on rates on the rating unit
- The degree to which features of natural heritage are present on the land

-
- The degree to which features of natural heritage inhibit the economic use of the land
 - The use of the property.

In granting remissions under this policy, the Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

8 Rates remission on Land Protected for Natural Conservation Purposes

8.1 Objective

To provide rates relief to property owners who have voluntarily protected land of natural conservation purposes; to protect and promote significant natural areas; and to support the District Plan where a number of these features have been identified.

8.2 Conditions and Criteria

Ratepayers who own rating units which include significant natural areas, including those identified in the District Plan, and who have voluntarily protected these features, may qualify for remission of rates under this part of the policy.

Land that is non rateable under section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, wastewater or refuse collection will not qualify for remission under this part of the policy.

Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit, e.g. a copy of the covenant or other legal mechanism.

Applications for the remission will be considered by officers of the Council acting under delegated authority from the Council.

In consideration of any application for rates remission under this part of the policy, Council will consider the following criteria:

- The extent to which the protection of significant natural areas will be promoted by granting remission of rates on the rating unit;
- The degree to which the significant natural areas are present on the land, and
- The degree to which the significant natural areas inhibit the economic utilisation of the land.

In granting the submissions for land protected for natural conservation purposes, the Council may specify conditions that must be met before remission is granted. Applicants will agree in writing to these conditions and agree to repay the remission if the conditions are violated.

Council will decide remissions on a case-by-case basis; remissions will usually be applied to the value of the rating unit or proportion of a rating unit that contains the areas of significant natural flora.

The Council may agree to an on-going remission in perpetuity provided the terms and conditions of the voluntary legal mechanism applying to the feature are not altered.

1. Policy on the remission of rates on land protected for conservation purposes

This policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

This policy is required to provide the legislative authority to grant rates remissions to landowners who have protected land for conservation purposes in perpetuity.

Objectives

The objectives of this policy are to:

- a. help landowners who have voluntarily protected areas of significance; and
- b. ensure that these areas remain protected.

Criteria and conditions

Sites that will qualify for remissions must be identified in at least one of the following:

- a. District Plan - Schedule 3 - Outstanding or **Significant** Natural Features and Trees and Other Protected Items.
- b. District Plan – Planning Maps – Kaitiaki Zone.
- c. Our register of Significant Natural Features.
- d. Any area that has any other type of formal protection method in place (e.g. a covenant under the Queen Elizabeth the Second National Trust Act 1977 on the title).

We will determine the amount of any remission at our discretion and will be guided by:

- a. the remission methods specified in the Significant Natural Features Policy; and
- b. the funding available through the Long Term Plan and/or the Annual Plan.

South Waikato District Council – RRP 2015

12.3. Remission of rates on land protected for natural, historical or cultural conservation purposes (including significant natural areas and indigenous vegetation)

12.3.1. Objective

To assist in preserving and promoting natural and heritage assets within the district and to encourage the protection of land for natural, historical or cultural purposes. This includes land which is considered to be a significant natural area (SNA) under the District Plan and areas of land covered by indigenous vegetation.

Provisions in the District Plan support this policy objective.

12.3.2. Policy

- Rating units that have some feature of cultural, historic or natural heritage which is voluntarily protected, may qualify for a remission of up to 100% of general rates of the land being protected. In addition if the whole rating unit is being protected all service and Uniform Annual General charges can be remitted as well.
- The remission will be calculated after an apportionment of rating value to the 'area of interest' (that area of interest being the feature of cultural, historic or natural heritage which is voluntarily protected).
- For the avoidance of doubt, the remission can be approved at the full amount of the rates payable on the apportioned value of the area of interest provided that the level of remission is no more than 33% of the value of rates that would otherwise have been set and assessed on the rating unit as a whole.
- Rating Units that are non-rateable under Section 8 of the Local Government (Rating) Act 2002 and are liable for rates for refuse collection, sewage disposal and water supply do not qualify for a remission.

12.3.3. Conditions and criteria

- Applications must be supported by documentary evidence of the protected status of the rating unit.
- Applications for remission under this policy must be made in writing and if granted will apply for a maximum of three years. Applications cannot be backdated beyond the current rating year.
- Council will resolve, on a case-by-case basis, what amount of rates (excluding rates for refuse collection, sewage disposal and water supply), up to the maximum limit set out above, qualify for a remission.
- Applicants will be required to agree in writing to payment of remitted rates if the conditions of the remission are violated.
- In considering, granting and setting the value of the remission, Council will consider the following criteria:

The extent to which features of cultural, historic and natural heritage assets are present

The degree to which these features are being, or will be, preserved

The degree to which these features inhibit economic utilisation of the land

The extent to which the features will be promoted by granting a remission of rates

The level of District Plan, NZ Historic Places Trust or Iwi recognition of the features

Policies and Strategies 2015

The Rates Remission Policy

Any other assistance that the ratepayer has already received from Council or elsewhere in order to protect the features of interest.

12.3.4. Delegated responsibility

Council has delegated the authority to make such approvals up to \$2,500 to the Chief Executive, as set out in the Delegations Manual.

Waikato Regional Council – RRP

- Remission of rates on land protected for biodiversity

4.1 Objective

To enable council to assist landowners who have retired land solely for conservation purposes.

4.2 Criteria

This policy encourages landowners to maintain, enhance and protect heritage features by offering a financial incentive.

The following ratepayers may qualify for remission of rates on rating units that:

- Part or all of the rating unit has a:
 - QEll covenant under section 22 of the Queen Elizabeth the Second National Trust Act 1977 registered on their certificate(s) of title; or
 - part or all of the rating unit has Nga Whenua Rahui kawenata under Section 27a of the Conservation Act 1987;

Where Waikato Regional Council holds information relating to lands subject to a QEll covenant or Nga Whenua Rahui kawenata, staff acting under delegated authority may apply this remission on the ratepayer's behalf.

The amount of the remission will be calculated based on the proportion of the rating unit protected under any part of (a) listed above.

The remission will apply to all rates charged to the rating unit. However, if there is a dwelling on the property, the Uniform Annual General Charge will not be remitted.

- Part or all of the rating unit was previously designated as part of the proposed lakeshore reserve scheme. Waikato Regional Council may remit rates on these rating units where the Taupo District Council has remitted some or all of the territorial authority rates for the rating unit in the current rating year. Applicants may be asked to provide evidence of the Taupo District Council remission.

Remission will only be granted on the portion of the property previously designated as part of the proposed lakeshore reserve scheme.

Applications for remission under parts a) and b) of this policy will be determined by officers of council, acting under delegated authority from the council, as specified in the delegations resolution. The policy will apply from the beginning of the rating year in which the application is made, although the council may consider backdating past the rating year in which the application is made depending on the circumstances.

- Part or all of the rating unit is designated as a Significant Natural Area (SNA) with a significance level of regional, national or international in the relevant District Plan and / or Schedule associated with the District Plan. A mechanism must be in place which provides for the enduring protection of the land concerned, such as:

- a conservation covenant under section 77 of the Reserves Act 1977;
- a declaration of protected private land under section 76 of the Reserves Act 1977;
- a management agreement for conservation purposes under section 38 of the Reserves Act 1977;
- a covenant for conservation purposes under section 27 of the Conservation Act 1987;
- a management agreement for conservation purposes under section 29 of the Conservation Act 1987;
- a covenant with the local council which has the effect of preserving the land for conservation purposes;
- a Memorandum of Encumbrance linked to an Environmental Programme Agreement via the regional council;
- any other covenant or agreement which in the opinion of Council provides enduring protection for the land.

Criteria

Applications for remission under this provision must be made in writing by the ratepayer, and supported by the following documentation:

- an aerial photograph or map of the area(s) that the remission is requested for; and
- evidence of the legal protection mechanism; and
- evidence of fencing to exclude stock from the SNA.

The remission will apply to all rates charged to the SNA area. However, if there is a dwelling on the property, the Uniform Annual General Charge will not be remitted.

The council will delegate authority to approve applications for remission on SNAs to particular officers as set out in the council's delegations resolution.

Application for rates remissions must be made prior to the commencement of the rating year (1 July). Any applications made during a rating year will be considered for remission at the commencement of the following rating year. Any remissions granted will not be backdated.

SNAs where remission is granted may be subject periodically to audit either by on the ground inspection or by analysis of aerial photography to ensure that the condition of the SNA is at least maintained and that stock proof fencing remains in place.

Selwyn District RRP

Rates Remission Policy Including Māori Freehold Land

This policy is prepared under section 102(3) of the Local Government Act 2002 using the special consultative procedure laid down in section 83 of that Act.

Background

The Local Government (Rating) Act 2002 has changed the processes required for rating from 1 July 2003. Under the old legislation remission of rates was in some cases mandatory, with others at the discretion of the Council. Mandatory remissions do not exist under the new Act and the Council is required to develop its own remission policies and these need to be adopted through the Annual Plan process.

The new Act allows the Council to remit rates 'for any reason, on any land and to any extent', provided that the remission is in accordance with rules that the local authority sets for itself in a remission policy. Remission of rates involves reducing the amount owing or waiving the collection of rates altogether.

Why have a rates remission policy?

Rate remissions can be used to assist in achieving the economic, social, environmental or cultural outcomes contained in the Council's Long Term Plan, i.e. remissions for community facilities under its 'Community Events and Facilities' strategic plan outcomes. To mitigate individual circumstances i.e. remission of penalties.

Principles to consider in setting a rates remission policy

Remissions should be linked to the objectives in the Council's Long Term Plan. In other words the remission policy should assist in achieving the desired direction and outcomes contained in the Council's planning documents. The policy should be complimentary to the other programmes provided by the Council. The Council grants may be a more appropriate way of achieving the desired outcome than by way of a rate remission.

The policy should be clear, unambiguous, and easily understood. This is important as the remission policy is subject to the special consultative procedure.

The policy should be in terms of categories of rating units rather than individual rating units.

The policy should be periodically reviewed to ensure it achieves the outcomes sought by the Council.

It should be remembered that remissions shift the rate burden between properties. Remitting rates from one property means those remitted rates need to be collected from other properties. The policy needs to be fair and equitable.

Considerations made when developing the Rates Remission Policy.

Strategic goals

There are a number of Strategic Goals where rates remission is or may be a useful tool in assisting the Council to achieve those goals and outcomes.

Identified Strategic Goals are as follows:

1. Strategies that promote a sense of community and support initiatives to enhance social well-being.
2. Strategies that are good for economic growth, promote and facilitate economic development and employment opportunities.
3. Strategies, which manage our natural and developed environment and protect and enhance the visual character, heritage and cultural values of the rural area.
4. Strategies that make our district a great place in which to live.

Grants are also available to foster community identity, participation and to encourage use of existing facilities.

Remission of rates for economic development

Various Councils have in the past included a provision for the remission of rates in order to promote employment and economic development within their district. This Council has not had such a policy. Given that there has been a very limited number of requests for this type of remission may indicate that such a provision is unnecessary. Although a rate relief policy could assist in achieving strategy 2 above, a number of factors have led to this being excluded from the remission policy.

A new business given a rate remission can often be in direct or indirect competition with existing businesses that are paying full rates.

This district is currently having success in attracting new business without this type of rate remission.

Remissions for community, sporting and other organisations

Objective

To facilitate the provision of non-commercial (business) community services, facilities and recreational opportunities for the residents of the Selwyn District Council.

The purpose of granting rate remission to an organisation is to:

- Assist the organisation's survival.
- Make membership of the organisation more accessible to the general public, particularly disadvantaged groups including children, youth, young families, aged people, and economically disadvantaged people.

Remission of rates penalties and rates

Penalties on rates or levies may be remitted where the following criteria are satisfied.

1. A written application is made specifying the reason for non-payment and the period for which the application is made.
2. The reason for non-payment involves one of the following circumstances:
 - a. Hospitalisation or other medical reasons (where confirmed by medical evidence).
 - b. Deceased estates (where a deceased ratepayer's affairs have been delayed by statutory process).
 - c. Land transfer or subdivision (where this has been delayed by the statutory process - this will need to be subject to limitations).
3. The Group Manager Organisation Performance has the authority to remit penalties and rates in circumstances where it would be reasonable to do so. Such remissions shall be notified to the Chief Executive Officer.

Remissions of targeted rates & uniform annual and general charge

- a. Sports, community-based or similar organisations are exempted from 50% of the uniform annual general charge, and targeted rates for libraries, recreation reserves and community centres.
- b. Ratepayers who own a dwelling and vacant land in the Selwyn District are exempted from the libraries targeted rate on the vacant land.
- c. Ratepayers, where vacant land can be identified as integral to an existing operation of their business in the Selwyn District, are exempted from the uniform annual general charge and the libraries targeted rate on the vacant land.
- d. Ratepayers who own a commercial, industrial or service based property in the Selwyn District that does not have dwelling facilities, are exempted from the targeted rates for swimming pools, recreation reserves and community centres.
- e. Ratepayers who own a dwelling and a commercial, industrial or service based property in the Selwyn District that does not have dwelling facilities, are exempted from the targeted rates for libraries. The exemption to be on the commercial, industrial or serviced based property.
- f. Properties owned by the Royal New Zealand Plunket Society shall not be charged the uniform annual general charge or general rates while used one hundred percent as a child care facility.
- g. All properties of the Plunket Society shall be charged for all services as provided as separate items by the Council (e.g. water, refuse, sewer, etc.).

Remission of rates on Land Protected for Natural Conservation Purposes

Remission of rates for protected areas of significant indigenous flora or fauna, landscape or geological value.

Policy Objective

- To acknowledge the wider community benefit of protecting areas of significant indigenous flora or fauna, landscape or geological value which are often on privately owned land by sharing the cost by way of a rating remission.
- To recognise the extent of voluntary protection given to natural values on private land by granting a rating remission commensurate with the level of protection offered.
- To recognise that inappropriate use may result in compromising the indigenous flora or fauna, landscape or geological value and that the landowners should receive compensation from having to pay rates on that land where preservation and protection is occurring.

Criteria

For land held under a legal protection mechanism or formal agreement for preservation and protection:

The Council will grant rating remissions for identified significant indigenous flora or fauna, landscape or geological value in accordance with the following formula (to the extent practically possible using existing rating administrative systems):

- 100% rating relief for any identified significant indigenous flora or fauna, landscape or geological value with a legal mechanism for the purpose of preservation and protection in perpetuity.
- 50% rating relief for any identified significant indigenous flora or fauna, landscape or geological value with a legal mechanism for the purpose of preservation and protection for a period less than 25 years.
- 25% rating relief for any identified significant indigenous flora or fauna, landscape or geological value with a formal mechanism for the purpose of providing for the preservation or protection.

Rating remission will be calculated in the following manner:

Rates remission amounts will be calculated according to the size of the area subject to protection or management as set out in Table 1. This method is related to the level of contribution towards the environment as larger areas of protected area are generally more significant. However, this does not take into account the presence of rare or endangered species or the amount of time and effort put into the management of any site(s). For the avoidance of doubt, the rates remission amounts set out in Table 1 applies to the cumulative area of hectares protected on any one property, not for each protected area which may be on any one property.

- h. 50% remission of general rates on lodges owned by the Freemasons of New Zealand.

The exemptions in (a) to (h) above do not limit a ratepayer's entitlement to exemptions under the contiguous property rules of section 20 of the Local Government (Rating) Act 2002.

Remission on rating units affected by natural calamity

The Council may remit rates either wholly or in part where a rating unit has been detrimentally affected by a natural calamity to an extent the Council considers that it would be unfair or unreasonable to require that the rates be paid as assessed. Applications must be made in writing and signed by the owner(s) of the rating unit.

Full details must be provided of the nature of the event that caused the damage and the degree of damage to the rating unit. If the damage is temporary and the rating unit is expected to return to its former use in the future, an estimate of the time it will take the land to recover to a useable state and the steps that the owner will take to achieve this should be provided. The Council may ask for a report from a Registered Engineer or other similarly qualified expert.

The amount of remission given in any case will be set by the Group Manager Organisational Performance having regard to the severity of the event, the degree of damage to the subject rating unit and other rating units in the district and other financial assistance available. Consideration will also be given to the effect of remissions on the remaining rating base.

Remission on rating units as a result of pandemic or other similar event

The Group Manager Organisational Performance has the authority to develop a temporary rates penalty remission policy, covering a period no longer than 12 months as a result of a pandemic or other similar event affecting rating units in the Selwyn District.

This policy does not apply to land that is non-rateable under section 8 of the Local Government (Rating) Act 2002 and is liable only for rates for water supply, wastewater disposal, waste collection or recycling.

Applications for rates remission in accordance with this policy must be in writing and supported by documentary evidence of the protected status of the rating unit, for example, a copy of the covenant agreement or other legal mechanism.

In granting remissions under this policy, the Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

Table 1. Rates Remission Amounts

Size of Total Protected Site(s)(ha)	Rates Remission – 100%	Rates Remission – 50%	Rates Remission – 25%
Up to 5.0ha	\$350	\$175	\$87.50
5.001 – 10.0 ha	\$500	\$250	\$125
10.001 – 50.0ha	\$950	\$475	\$237.50
50.001 – 100ha	\$1,250	\$625	\$312.50
Over 100ha	\$2,000	\$1,000	\$500

The resulting percentage will be applied to the existing rating assessment to the general rates component.

Terms

Identified - means identified in the District Plan, Significant Natural Area Report, Canterbury Biodiversity Strategy or other areas considered worthy of protection by covenanting bodies.

Legal mechanism - options include an open space covenant or Kawanata Maori with QEII Trust, Banks Peninsula Conservation Trust, the Department of Conservation, a Nga Whenua Rahui protection or landowners independently registering private covenants on their title.

Formal mechanism - means a written agreement or understanding between at least the Council and the landowner.

Significant indigenous flora or fauna of a site is as defined by Appendix 3 of the Canterbury Regional Policy Statement.

Scout group hall rating

The Council will allow a 50% remission of uniform annual general charge and general rates for all Scout Groups.

School and service club endowment land

School and service club endowment plantations within the Selwyn District Council that are planted on rateable property shall be granted a 50% rates remission.

Remission of rates on land protected for natural, historic or cultural conservation purposes

The Council may provide rates remission to ratepayers who meet objectives, conditions and criteria of this policy.

Objective

Rates remission is provided where it is necessary to preserve and promote natural resources and heritage by encouraging the protection of land held for a natural, historic or cultural purpose.

Conditions and criteria

Ratepayers who own rating units which have some feature or cultural, natural or historic heritage which is voluntarily protected may qualify for remission of rates under this policy.

Applications should be supported by documentary evidence of the protected status of the rating unit, for example, the copy of the covenant or other legal mechanism.

In considering any application for remission of rates under this part of this policy, the Council will consider the following criteria:

- 1 The extent to which the preservation of natural, cultural or historic heritage will be promoted by granting remission of rates on the rating unit.
- 2 The degree to which features of natural, cultural or historic heritage are present on the land.
- 3 The degree to which features of natural, cultural or historic heritage inhibit the economic utilisation of the land.

In granting remissions under this policy, the Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

1.6 Remission of Rates on Land Protected for Natural, Cultural or Historic Conservation Purposes

Objective

The objective of this scheme is to preserve and promote natural resources and heritage to encourage the protection of land for natural, cultural or historic purposes.

Conditions and Criteria

Ratepayers who own rating units which have some feature of natural, cultural or historic heritage which is voluntarily protected may qualify for remission of rates under this part of the policy.

This policy applies only to property over which a protection order or covenant has been issued under the following Acts:

Section 6	Historic Places Act 1993
Section 39	Heritage New Zealand Pouhere Taonga Act 2014
Section 22	Queen Elizabeth the Second National Trust Act 1977
Sections 76 and 77	Reserves Act 1977
Section 27	Conservation Act 1987

Land that is non-rateable under Section 8 of the Local Government (Rating) Act and is liable only for rates for water supply, sewage disposal or refuse collection will not qualify for remission under this part of the policy.

Applications must be made in writing. Applications should be supported by documentary evidence of the protected status of the rating unit (e.g. a copy of the covenant or other legal mechanism).

The Director of Finance and Corporate Services shall have the authority to remit rates under this section. Remissions may be granted subject to conditions. Applicants will be required to agree in writing to any conditions and to pay any remitted rates if the conditions are violated.

The Southland District Council Remission and Postponement of Rates Policy 29 June 2021 does not have any specific remission for Natural conservation purposes
Environment Southland also do not appear to offer a rate remission for natural conservation purposes.

MINUTES

RURAL CITY LIVING



Minutes of a public excluded meeting of the Policy and Regulatory Committee, held in the Council Chambers, civic administration building, 29 Bowler Avenue, Gore, on Tuesday 13 August 2024, at 4.27pm.

Present His Worship the Mayor (Mr B R Bell), Cr Hovell (Chairperson), Crs Dickson, Fraser, MacDonell, McKenzie, R McPhail, Reid and Stringer.

In attendance Crs P McPhail and Phillips were in attendance, together with the Chief Executive (Ms Debbie Lascelles), General Manager Critical Services (Mr Jason Domigan), General Manager People and Culture (Mrs Nicky Cooper), Governance Manager (Susan Jones), senior Communications Officer (Ms Bonnie Mager), Ms Joanne Skuse (The Property Group) and Mr Matt Heale (The Property Group, via Zoom).

1. CONFLICT OF INTEREST (SC3529)

Cr Stringer said he may have a conflict of interest as one of the SNAs was located on his property. The Chief Executive said it was up to the member to determine whether he had a conflict and how it would be dealt with. Cr Stringer said he would remain at the meeting.

His Worship referred to the Commissioners who were in the room who had not declared a conflict of interest. Cr Hovell said there was a separation in the roles as elected members and Commissioners. In the same way as when the plan was being prepared there had been a group of elected members involved. It did not create a conflict by being involved in both. The Commissioners needed to be cautious about how they used the information gained as an elected member. The Chief Executive said elected members who were Hearings Commissioners needed to be very careful about any comments passed at the meeting as it could put the Council at risk of a judicial review.

2. INDIGENOUS BIODIVERSITY MANAGEMENT (SC0487)

A comprehensive report had been received from The Property Group consultant, Mr Matt Heale. The report informed the Committee of the Council's biodiversity obligations and progress to date, required a decision whether to continue mapping indigenous biodiversity areas and to consider a range of non-regulatory funding options to help achieve biodiversity obligations.

The Council had obligations under the Resource Management Act (RMA) to maintain indigenous biological diversity and protect subset areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna (SIV). The National Policy Statement for Indigenous Biodiversity (NPS-IB) (July 2023) effectively codified areas of Significant Indigenous Vegetation or Significant Habitats of Indigenous Fauna (SIVs) as Significant Natural Areas (SNAs) and required Councils to map SNAs using set criteria at the time of its 10-yearly plan review (s3.9(3)). The Council also had obligations under the Southland Regional Policy Statement (RPS) to maintain indigenous biodiversity and identify and protect SIVs.

When the proposed District Plan (PDP) was notified in August 2023, the Council signalled that a variation to the Ecosystems and Indigenous Biodiversity (ECO) chapter of the PDP would be undertaken to map SNAs in conjunction with stakeholders and landowners. That was on the basis that funding for mapping would largely be provided by Environment Southland/central Government and because mapping was required by the NPS-IB as part of the PDP notification.

Mr Heale said he had noted in the report that funding for mapping Significant Natural Areas had been withdrawn by central Government through the Regional Council. While the funding for SNA mapping in accordance with the National Policy Statement had been withdrawn, there was still Regional Council funding available for mapping Significant Indigenous Vegetation areas against Regional Policy Statement criteria. He said the playing field had changed since the Proposed District Plan had been released regarding funding and timeframes for mapping.

There were a number of maps included in the report that detailed the various mapping work that had been undertaken by the Council. The mapping capability had improved over the past ten years. The Council had been working with Stoney Creek Station and Wantwood Station. Depending on where the process landed with preliminary mapping, the Council may wish to decide whether it wanted to proceed with additional mapping. Mr Heale said if the process was to continue with more mapping, that the Council should approach the Regional Council for additional funding.

A suggestion had been made to consider rates remission for SNAs depending on the level of protection agreed by landowners and the area of land involved. Rates remissions could total about \$100,000.

Cr R McPhail asked if it was relevant to be discussing the report at this time given the comments at the start of the meeting. The Chief Executive said her earlier comments were specifically for the Commissioners. Councillors could discuss the report. Cr Stringer asked if it was known how many QEII covenants were in place in the district. Mr Heale said there were a handful of properties. He was aware that Stoney Creek Station had an agreement with the Department of Conservation to protect some of their land for example.

Cr Hovell asked what cost was involved with landowners who wanted to consider indigenous areas. Mr Heale said it depended on the property. The Ecologist had

estimated \$5,000-\$10,000 depending on the scale of property. There were also economies of scale that could be achieved with owners working together.

Cr Hovell asked for explanation of clearance of indigenous areas in the Proposed Plan that were currently in force. Mr Heale referred to paragraph 52 of his report that provided a synopsis of what was in the plan. There had been some submissions seeking different controls. Cr Hovell said the rule provided for clearance of indigenous vegetation and land disturbance where it was necessary for fences, vehicle tracks, fire breaks, network utilities etc. Unless a landowner fell into the exemption categories, they would require a resource consent. Mr Heale concurred. Cr Hovell asked why there was a need to do more identification. Mr Heale said the District Plan described what a significant natural area was. The current District Plan did not contain a map, but described what they were. It would include dense red tussock plantings, silver beech forests, manuka and the like. The mapping was useful to clarify where the rules applied and did not apply.

In response to Cr Fraser asking how areas were mapped if the landowner refused, Mr Heale said there would be reliance on aerial mapping, although they were not as accurate. There was a real benefit in having areas mapped as this provided clarity for all involved. With development of farm plans as part of the Regional Council requirements, these areas were also required to be identified.

His Worship referred to the estimated costs to landowners, how many landowners would be likely to be willing to have the areas mapped. Mr Heale said it was unknown because there had not been any engagement with many landowners at this stage. The next step once there was clear direction from the Council was to speak with landowners. The intention was to advise landowners and run drop-in sessions around the District where landowners could talk to the Ecologist and planners to gain an understanding of what the implications for mapping would be.

Cr Stringer asked what impact would an SNA have on the value of a property? Mr Heale said it did not significantly affect property values from his understanding. He thought a large proportion of the properties had a small portion of SNAs on them. Apart from the larger properties, such as Stoney Creek, most properties had a small area so farming was not greatly impacted. Cr Hovell said when it came to rating, the changes that were made to rating valuations were done on a global scale unless there was a request for a detailed assessment.

Cr Dickson said it seemed important that there was a ground site visit. Mr Heale agreed. Cr P McPhail said the National Policy Statement talked about maintenance of the vegetation which became the responsibility of the landowner. Was that taken into account as part of the process? Mr Heale said one of the recommendations was to source funding to assist with weed and pest management of those areas.

In response to Cr R McPhail, Cr Hovell said it was unknown what the outcome may be to the submissions currently being heard to the Proposed District Plan and what

changes may arise as a result. There was also a review of the Resource Management Act that could result in further changes.

In response to His Worship, Mr Heale proposed a letter be sent to the Associate Minister – Environment and possibly a follow-up in person meeting. Mr Heale clarified there were also funds available through Environment Southland for biodiversity restoration. Some could be supplemented with central Government funding and philanthropic organisations.

RECOMMENDED on the motion of Cr Reid, seconded by Cr R McPhail, THAT the report and supporting information be received.

His Worship recommended THAT in the short-term, Significant Natural Areas (SNA)/Significant Indigenous Vegetation (SIV) and indigenous biodiversity mapping continue for landowners who are willing to have mapping undertaken,

AND THAT this mapping be utilised to inform the Proposed District Plan Hearings in February 2025.

The recommendation was seconded by Cr Stringer.

Cr R McPhail asked who met the cost of the estimated \$5-10,000 for the proposed mapping? Cr McKenzie thought there needed to be some confirmation of property numbers involved and where the funding would come from. His Worship said there was \$400,000 available from Environment Southland. Cr Fraser was not in favour of any of it. The Government had provided an opportunity to delay for three years and the Council should take it. Cr Phillips said his concern was the mapping had caused a lot of confusion and people were taking it as an overview that everything had been mapped. He was also concerned with the cost.

Cr Dickson acknowledged the hearings were not until February next year so it was possible to defer making a decision until then. There would also be surety about the Resource Management Act. Cr Hovell said until Stoney Creek had been through the process, there was no certainty it would work and how it would be used. The outcomes from the Hearings Panel were also unknown. Cr Stringer said the assumption was being made that what worked for Stoney Creek would work for everyone else. Cr MacDonell favoured holding off. Cr P McPhail agreed and said the funding was critical. He thought the Council was putting the cart before the horse. His Worship thought Cr Dickson's point was a good one. What was the urgency? He thought it would be worth speaking with the Minister and Environment Southland first.

Cr R McPhail asked what risk there would be to the Council holding off? The Chief Executive said the Council was about to go into a hearings process with mapping that was not necessarily complete. The risk if it was not funded, was the Council potentially making assumptions about indigenous biodiversity that may not be true. Cr Phillips asked what the greater expense was – an onsite visit or aerial mapping? Mr Heale

said the aerial mapping had largely been completed at a cost of about \$10,000 to \$20,000. It was the on the ground inspections that tended to be more expensive. Funding was available from Environment Southland to support mapping work. The Chief Executive said those landowners who were willing to have the mapping completed, that work could be done. Then after the hearings, a decision could be made about whether there was more mapping done and how it would be funded. The Council would need to investigate how much funding was available.

Cr MacDonell questioned how much mapping could be completed even if the funding was available? Cr Hovell said it only related to willing landowners.

Cr R McPhail asked if the funding could be prioritised for the risk factor. If funding was available from Environment Southland for willing landowners. Cr Fraser said Stoney Creek was on board because it could see this could firmly affect them. Other landowners were not interested.

Cr Stringer asked what the risk was tying up land that had been mapped and locked up in the District Plan, what was the consequences to the Council. Cr Hovell said there were only two areas in the specifically identified in the District Plan – one at Pukerau and Dolamore Park. There were no other areas specifically mapped in the Proposed District Plan at this stage.

His Worship and Cr Stringer agreed to add *"subject to external funding being available"* at the end of the first section of the recommendation. The recommendation would read:

THAT in the short-term, Significant Natural Areas (SNA)/Significant Indigenous Vegetation (SIV) and indigenous biodiversity mapping continue for landowners who are willing to have mapping undertaken, subject to external funding being available,

AND THAT this mapping be utilised to inform the Proposed District Plan Hearings in February 2025.

The recommendation was put and it was carried.

His Worship recommended **THAT** that the Council liaise with Environment Southland to request an allocation of a minimum of \$750,000 in its Long Term Plan/Annual Plan to fund ecological assessments and mapping of Significant Natural Areas (SNA)/Significant Indigenous Vegetation (SIV) areas in Gore and consider a regional rates remission policy for SNA/SIV landowners.

The recommendation was seconded by Cr MacDonell.

His Worship presumed the conversation around allocation for future mapping would occur post the February 2025 hearings. Cr R McPhail asked why \$750,000? Cr Fraser recalled the cost could be between \$750,000 and \$1.5 million.

Cr Stringer asked where the \$750,000 would come from. He was mindful that Environment Southland did not have a bottomless pit of funding. Cr Hovell said Environment Southland may have access to external funding that the Gore District did not.

The recommendation was put and carried.

RECOMMENDED on the motion of Cr Fraser, seconded by Cr Dickson, **THAT** the Council liaise with the Associate Minister - Environment (Andrew Hoggard) and philanthropic organisations to investigate what alternative funding sources are available for biodiversity enhancement.

RESOLVED on the motion of Cr Hovell, seconded by Cr Stringer, **THAT** the Committee return to open meeting.

The meeting concluded at 5.42pm

RESOLUTIONS

Memo

To: The Property Group
From: Governance Manager
Date: 21 August 2024
Subject: Indigenous biodiversity management (SC0487)

Clause 2 of the 13 August Policy and Regulatory Committee public excluded meeting agenda refers.

At its meeting on 20 August, the Council resolved as follows:

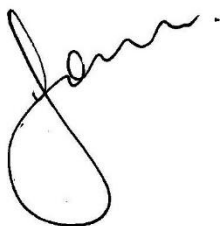
THAT in the short-term, Significant Natural Areas (SNA)/Significant Indigenous Vegetation (SIV) and indigenous biodiversity mapping continue for landowners who are willing to have mapping undertaken, subject to external funding being available,

AND THAT this mapping be utilised to inform the Proposed District Plan Hearings in February 2025.

THAT that the Council liaise with Environment Southland to request an allocation of a minimum of \$750,000 in its Long Term Plan/Annual Plan to fund ecological assessments and mapping of Significant Natural Areas (SNA)/Significant Indigenous Vegetation (SIV) areas in Gore and consider a regional rates remission policy for SNA/SIV landowners.

THAT the Council liaise with the Associate Minister - Environment (Andrew Hoggard) and philanthropic organisations to investigate what alternative funding sources are available for biodiversity enhancement.

Thanks

A handwritten signature in black ink, appearing to be 'Susan', with a large loop at the bottom.

Susan