

**Reply to Supplementary Evidence in response to Minute 41 from Claire Perkins
on behalf of Stoney Creek Station**

1. Minute 41 was issued by the Panel seeking further input from the expert ecologists (Mr Wells and Mr Davis) and s42A author (Mr Heale) on several matters arising from the Ecosystems and Indigenous Biodiversity Chapter hearing. Mr Wells in consultation with Mr Davis was asked to consider the significance criteria in relation to the assessment of the indigenous biodiversity on Stoney Creek (and Wantwood) Stations. Following that Mr Heale was asked to:
 - Provide a revised map identifying the landowner agreement area between the Stoney Creek Station landowners and Department of Conservation (DoC).
 - Consider separate definitions for SNA and SIVA within the Hokonui Hills precinct; and
 - Consider separate rules for SNA and SIVA outside of the Hokonui Hills precinct.
2. This response has been prepared by Claire Perkins, Principal Planner, on behalf of Stoney Creek Station. My qualifications and experience are set out in my earlier briefs of evidence.

Ecology reply

3. I consider the information provided by Mr Wells and Mr Davis clearly sets out the evaluation of the indigenous vegetation habitats on Stoney Creek Station in reference to the significance criteria in the SRPS. Through that evaluation they have concluded that all of the mapped indigenous vegetation on Stoney Creek Station would meet at least one of the significance criteria in the SRPS and therefore must be considered to be SIVA (page 2).
4. However, they further note that this is only a broad categorisation of the vegetation communities and does not differentiate the varying levels of ecological values (page 2). This explains why they went further when considering the potential thresholds for significant adverse effects in response to the need to develop rules for the PDP and were able to identify different permitted clearance

limits for certain activities within the Hokonui Hills area (Areas A – D in Appendix 7 maps), that still achieve the policies within the NPS-IB, SRPS and PDP.

5. Mr Wells also recommends that alongside the permitted areal limits, the inclusion of a condition requiring any clearance to avoid populations of Threatened and At Risk flora and fauna, will ensure that these species are not affected.

Reply of Mr Heale

6. The map provided by DoC and included in Mr Heale's reply accurately identifies the area subject to the Landowner Agreement.
7. As mentioned at the hearing, the Landowner Agreement prevents the owners of Stoney Creek Station from grazing or clearing this area of land and it has subsequently been fenced. However, there will inevitably be ongoing maintenance required of the fencing of this area to repair and upgrade the fence as needed. The proposed rule framework allows this maintenance to happen.
8. I agree with Mr Heale's interpretation of the applicability of the NPS-IB provisions in his paras 13 to 15, including that this area does not qualify as an SNA under the NPS-IB and therefore that clause 3.16 is the main focus for any new activity outside of an SNA. In addition, any new clearance in this area is limited to that associated with new fencelines only and must avoid any Threatened or At Risk species, providing protection for the significant values within this area.
9. I also agree with Mr Heale's assessment that the proposed ECO-R2 rule framework aligns with the SRPS objective and policy direction as outlined in his para 17.
10. The definitions Mr Heale proposes in his para 24 and discusses in para 25 to 29 are appropriate in my opinion. The conclusion that SNAs are only those included in the District Plan prior to the commencement of the NPS-IB (or future mapped areas), whereas all other identified areas of significant vegetation are considered to be SIVA (under the SPRS criteria) is consistent with my interpretation and aligns with my evidence in chief.

11. I agree with Mr Heale (paras 30-31) that the proposed Rule ECO-R2 is consistent with the NPS-IB and SRPS direction and that an effects management hierarchy approach will be taken for any significant clearance exceeding permitted threshold limits.
12. Mr Heale provides a recommendation to include further explanation in the chapter overview section rather than further detail in proposed Policy ECO-P13. I agree that this seems to be the most appropriate way to provide further clarity on the different levels of significance attached to areas of indigenous vegetation within the Hokonui Hills and the reasons for the proposed rule framework.
13. In his para 40, Mr Heale references the discussion at the hearing around the clauses relating to the clearance of indigenous vegetation associated with the removal of exotic species. He recommends deleting this clause entirely.
14. While I agree that the clause as drafted was not clear enough in its wording and could allow for large areas of indigenous vegetation clearance, it's overall intent needs to be retained. Stoney Creek Station in particular has large areas of predominately gorse and broom that need to be cleared in order to continue to control its spread over the wider station. Within these areas there may be a few indigenous plants that cannot be avoided when carrying out spraying activities of the gorse.
15. Mr Highsted has previously provided photos in his hearing statements of the gorse coverage in 1999 highlighting what the consequence can be of not managing it.
16. This clause was discussed within the Working Group and general agreement reached by the ecology experts that any minor consequential removal of indigenous vegetation within areas of gorse would not result in any significant adverse effect on indigenous vegetation communities.
17. Without this clause, given the scale of the gorse problem that still remains on Stoney Creek Station, and consideration of what proposed new fencelines are needed on the Station that may require some indigenous vegetation clearance, the limits in clause (j) to enable the new fencelines (and tracks) would be severely impacted.
18. In order to provide more certainty regarding the need to limit any consequential indigenous vegetation clearance associated with the removal of pest species I have proposed a solution below.

19. I looked at the definition of indigenous vegetation in the PDP and in the SRPS which are as follows:

Proposed Gore District Plan

Indigenous vegetation - 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.

Southland Regional Policy Statement

Indigenous vegetation - means any local indigenous plant community through the course of its growth or succession consisting primarily of native species and habitats normally associated with that vegetation type, soil or ecosystem or having the potential to develop these characteristics. It includes vegetation with these characteristics that has been regenerated with human assistance following disturbance or as mitigation for another activity, but excludes plantations and vegetation that have been established for commercial harvesting.

20. I note that the PDP definition is that included within the National Planning Standards. The SRPS definitions includes that indigenous vegetation is areas “consisting primarily of native species and habitats”.

21. Rule ECO-R2 relates to the clearance of indigenous vegetation. Because the vegetation mapping on Stoney Creek Station (included in Appendix 7) has captured some large areas of gorse within the mapped SIVA areas, I recommend the following amendments to ECO-R2 be included to enable limited areas of consequential clearance of indigenous vegetation when clearing areas of gorse or other pest species in the Hokonui Hills. I am happy to consider further refining this in consultation with Mr Heale to provide further clarity or certainty.

Rule ECO-R2 – Indigenous vegetation clearance

Activity Status: Permitted.

1. Where it is necessary for the following:

- (h) *The removal of exotic species generally and pest plants and pest animals in accordance with any Regional Pest Management Plan or the Biosecurity Act 1993, within areas that are primarily pest plants but may be located within areas mapped as SIVA in Appendix 7.*

22. The proposed amendment to clause (h) is consistent with the intent of Policy BIO.4 (Maintain indigenous biodiversity) and Policy BIO.7 (Active management) of the SRPS in particular. The explanations of both of these policies highlight the need to control pest species that can impact on indigenous biodiversity and that maintenance does not mean maintaining every individual specimen of plant.

Additional comments

23. It was discussed at the hearing that clause (i) in Rule ECO-R2 should be amended to align with clause 1(a) in Rule ECO-R1. This doesn't appear to have been picked up in the changes proposed by Mr Heale in this reply. I therefore recommend the following amendments are made in Rule ECO-R2, consistent with the discussion at the hearing:

(i) *The maintenance, repair, replacement or upgrade of existing fences and tracks.*

Conclusion

24. I generally agree with the conclusions reached by Mr Heale in his reply and consider the provisions will achieve the objectives of the NPS-IB and SRPS.

25. My proposed amendments above are consistent with and achieve the intent of the objectives and policies of the NPS-IB and SRPS.



Claire Perkins – Principal Planner

28 March 2025