

Before the Independent Hearings Panel at Gore District Council

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing Submissions and Further submissions on the Proposed
Gore District Plan.

Minute 41 Supplementary Evidence of Matt Heale on behalf of Gore District Council

Date: 21 March 2025

Introduction:

1. My full name is Matthew Cecil Heale. My Hearing Stream 1 Section 42A report sets out my qualifications and experience as an expert in planning.
2. I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's practice Note 2023, as applicable to this independent hearing panel.
3. I have prepared this statement of evidence to provide a response to Panel Minute 41 (3 March 2025).
4. A full copy of amendments I now recommend is included at Appendix A.

Overview of Minute 41

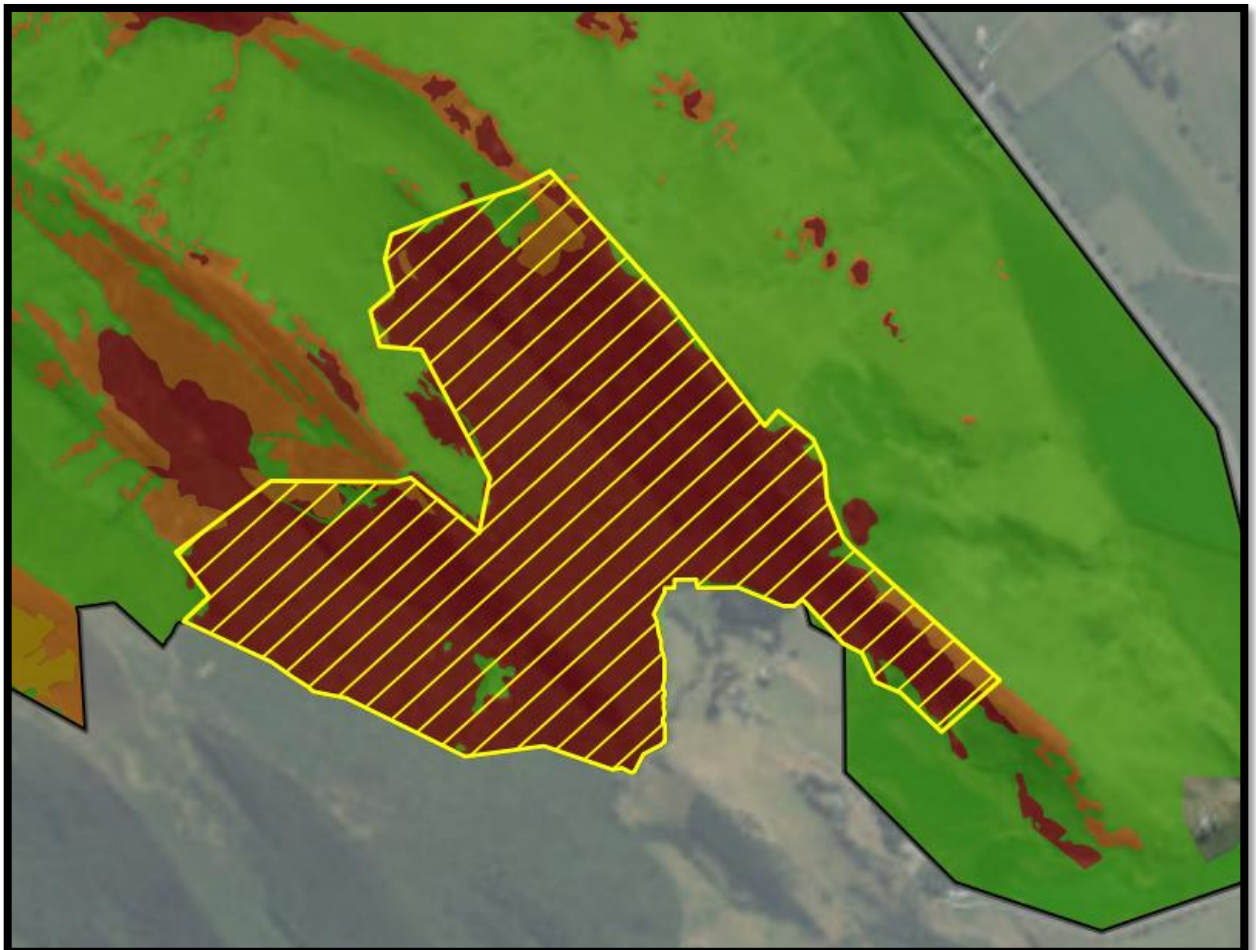
5. Minute 41 directed Department of Conservation (DoC) to provide a scaled plan showing the location and extent of the 127ha of land subject to the agreement between the land owners and DoC. Scaled Plans were received on 7 March 2025, copies of which are attached at Appendix B.
6. Minute 41 also directed Andrew Wells and Glen Davis to submit a statement of evidence setting out the extent to which regard was given to the four significance criteria from PDP Appendix 4¹ and the level of information collated to fulfil the requirements of clause 3 of PDP Appendix 4 relating to the manner and form of the assessment. Messer's Wells and Davis statements were received on 14 March 2025. In summary they indicate that:
 - a. The Ecological assessments meet the SRPS Appendix 3 Criteria.
 - b. Threatened and At-Risk species are on Stoney Creek Station while only At-Risk species are on Wantwood Station.
 - c. All of Stoney Creek Station vegetation should be SIVA while Wantwood should be both SIVA and IVA.
 - d. The 127ha DoC agreement area contains the most significant vegetation and habitat across the Hokonui Hills.

¹ (a) representativeness, (b) diversity and pattern, (c) rarity and distinctiveness, and (d) ecological context

7. Minute 41 then directed me to provide a draft update of the Ecosystem and Indigenous Biodiversity chapter incorporating:
 - a. the **DoC map** with potential provisions applying to that area,
 - b. separate **definitions for SNA and SIVA** including how this would be applied to the Hokonui Hills area, and
 - c. separate **rules for SNA and SIVA** inside and outside the Hokonui Hills area with specific reference to the effects management hierarchy
8. I address these matters specifically below.

DoC Map and Provisions

9. I have transposed the DoC map over PDP Appendix 7 at Appendix C. A close up of the DoC Agreement area is provided below:



10. This mapping indicates that there are some areas of Improved pasture (green areas) and IVA (light brown) within the Agreement area, while the vast majority is SIVA (dark brown).

11. DoC, in their evidence have raised a concern that proposed ECO-R2 does not provide enough protection from new activities in the Agreement area due to the recorded presence of Threatened and At-Risk species. In my supplementary evidence for Hearing Stream 10², I proposed the addition of the following text to ECO-R2 to address this:

Activity status: Permitted

1. Where it avoids the loss of threatened or at-risk woody plant species and Hokonui Hills rocky habitat (refer Appendix XX), and is necessary for the following purposes:

12. Concern was raised at the hearing that this was not broad enough and caught existing activities as well as new activities which was not consistent with NPS-IB 3.16.
13. Messer's Wells and Davis have now confirmed that, based on the evidence provided by DoC, the Agreement area contains Threatened and At-risk species, as do other areas of the Hokonui Hills. Furthermore, the Agreement Area does not qualify as a SNA under the NPS-IB as this area was not included in the PDP (notified on 31 August 2023) before the commencement of the NPS-IB (4 August 2023). Consequently, the focus then is principally on NPS-IB 3.16 that states:

*“(1) If a **new** subdivision, use, or development is outside an SNA and not on specified Māori land, **any significant adverse effects** of the **new** subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the **effects management hierarchy**.*

*(2) **All other adverse effects** of any activities that may adversely affect indigenous biodiversity that is outside an SNA (other than indigenous biodiversity on specified Māori land (see clause 3.18)), **must be managed to give effect to the objective and policies of this National Policy Statement**.*

(3) Every local authority must make or change its policy statements and plans to be consistent with the requirements of this clause.”

14. Based on NPS-IB the PDP must manage **significant** adverse effects of **new** activities by applying the effects management hierarchy. Therefore, effects that are not significant, or that relate to existing activities do not need to be managed under the effects

² 20 February 2025

management hierarchy but must be managed by giving effect to NPS-IB objectives and policies.

15. Of note, Objective 1 seeks to maintain indigenous biodiversity so there is no net loss by recognising people and communities as stewards and protecting and restoring indigenous biodiversity to achieve overall maintenance while providing for people and communities well-being. Policy 3 requires that a precautionary approach is adopted when considering adverse effects on indigenous biodiversity, Policy 8 requires that the importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for, and Policy 9 requires that certain established activities are provided for outside SNAs.
16. ECO-R2 seeks to maintain this balance between achieving overall maintenance or no net loss of indigenous biodiversity, managing significant adverse effects of new activities and providing for established activities by limiting clearance to existing activities, providing for limited clearance for new activities where ecological advice indicates this is not significant and will result in no overall net loss. Amendments to ECO-R2 that limit permitted clearance for new activities to areas outside areas including Threatened and At-risk species seek to align with ecological advice as to their presence on both Stoney Creek and Wantwood stations³ and ensure any adverse effects will be less than significant as shown below:

Activity status: Permitted

1. ~~Where it avoids the loss of threatened or at-risk woody plant species and Hokonui Hills rocky habitat (refer Appendix XX), and~~ is necessary for the following purposes:

....

(j) It is located in the Hokonui Indigenous Vegetation Area A or B as shown in Appendix 7, it avoids Threatened and At-risk species and is necessary for the construction of new fences or tracks, or any other activity essential for existing farming operations covering an area of less than 3,750m² per 5 years in Area A and 900m² per 5 years in Area B.

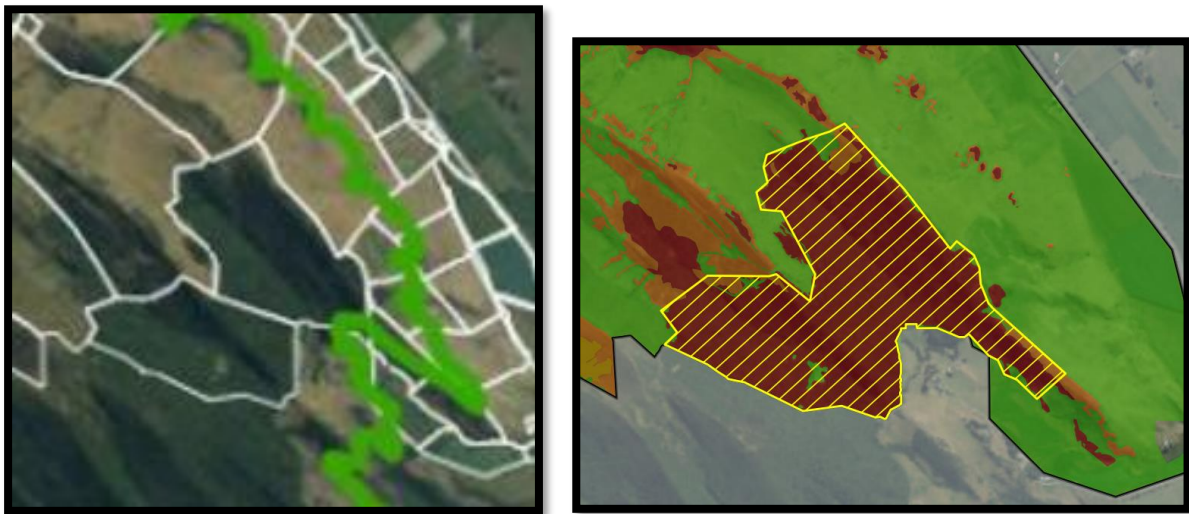
(k) It is located in the Hokonui Indigenous Vegetation Area C or D as shown in Appendix 7, it avoids Threatened and At-risk species and is necessary for the construction of new

³ For example, Page 16 and 17 of Mr Wells evidence indicates there are At risk and declining species on Stoney Creek Station including at risk declining tussock skink, korero gecko, and NZ pipit and threatened green skink and at risk declining korero gecko and that rocky ridges provide habitat that may be important for threatened and at risk lizard species.

fences covering an area of less than 1,250m² per 5 years in Area C and 50m² per 5 years in Area D.

17. The provisions recommended above would also align with the direction of the SRPS, particularly:
 - Objective BIO.2 that requires the maintenance of indigenous biodiversity and protection of SIVA.
 - Policy BIO.1 requiring the identification of SIVA using Threatened, At Risk and Rare Habitat Types in Appendix 2, ecological surveys in accordance with Appendix 3, and collaboration with landowners.
 - Policy BIO.2 requiring the protection and enhancement of SIVAs while considering fragmentation, loss and damage including the loss or reduction of rare or threatened indigenous species populations or habitats.
 - Policy BIO.4 that seeks to maintain a full range of indigenous biodiversity while making provision for lawful maintenance and operation of existing activities.
 - Policy BIO.10 that recognises the critical role of landowners in maintaining indigenous biological diversity that occurs on private land.
18. Like the NPS-IB, the SRPS seeks to maintain the balance between achieving overall maintenance or no net loss of indigenous biodiversity, protecting SIVAs and providing for established activities. The Ecological advice of Messer's Wells and Davis indicates that the proposed amendments to ECO-R2 would also achieve the intent of the NPS-IB and the SRPS, subject to the DoC agreement area all being identified as SIVA.
19. The SRPS does not provide any detail about which established activities are appropriate in SIVA so guidance has been taken from the NPS-IB in that regard. Hence both ECO-R1 and ECO-R2 permit indigenous vegetation clearance necessary for:
 - The maintenance of improved pasture
 - Vegetation causing imminent danger to human life, structure and infrastructure
 - Ngai Tahu cultural purposes
 - The safe operation and maintenance of the National Grid
 - Works in accordance with a Reserve management plan or biodiversity covenant
 - Deliberately planted indigenous vegetation within a domestic garden, shelter belt or margins of an existing dam
 - The maintenance, repair, replacement or upgrade of existing lawfully established fences and tracks

20. ECO-R1 also provides for indigenous vegetation clearance for the maintenance, repair, replacement or upgrade of existing lawfully established roads, critical infrastructure, walkways, firebreaks, dams, waterway crossings and network utilities as well as existing buildings or structures to minimise fire risk. These provisions also align with the NPS-IB as outlined in my analysis of ECO-R1 presented at the HS10 hearing on 24 February (refer Appendix D).
21. I do note that the existing fencing map (refer Appendix E) of Stoney Creek included in Clare Perkins evidence for Hearing Stream 9 (27 January 2025) shows existing fencing running around and through the DoC management area (see below).



22. ECO-R2(1)(i) provides for the maintenance of existing fences and tracks which will be positive for ongoing stock management particularly around the periphery of the area. However, it is unclear whether this is consistent with the DoC management area agreement as a copy of the agreement has not been provided with the map.
23. At hearing Stream 10 there was some discussion about the need to clarify the presence of At-Risk fauna as well as Flora across all areas A,B, C, and D. Subject to further ecological analysis it may be that ECO-R2 (j) and (k) could focus on Threatened species and At-Risk flora only for some areas.

Definitions of SNA and SIVA

24. It is recommended to amend the definition of SNA/SIVA to better align with the findings of Messer's Wells and Davis evidence of 14 March as follows:

SNA/SIVA

~~Has the same meaning as SNA in the National Policy Statement for Indigenous Biodiversity and also means: (a) Areas identified as SNA/SIVA-1 (Waterfall Range Dolamore Park and Croydon Bush) and SNA/SIVA-2 (Pukerau Red Tussock Reserve) on the planning maps or (b) any area that is notified or included in a district plan as an~~

~~SNA/SIVA following an assessment of the area in accordance with Appendix 4 or Appendix 3 of the SRPS. SNA/SIVA also includes areas meeting the criteria outlined in Appendix 4 or Appendix 3 of the SRPS including those identified at resource consent stage, as part of a Council Approved Biodiversity Management Plan or as part of a Biodiversity Covenant. For Indicative mapping of SIVA please refer to Councils website.~~

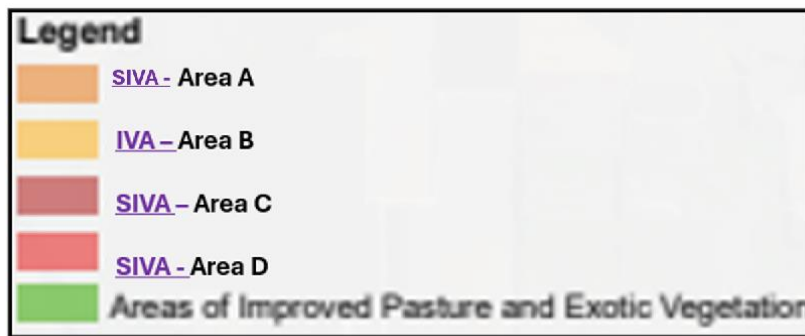
Significant Natural Area - SNA

Has the same meaning as SNA in the National Policy Statement for Indigenous Biodiversity and includes (a) Areas identified as SNA 1 (Dolamore Park and Croydon Bush) and SNA 2 (Pukerau Red Tussock Reserve) on the planning maps or (b) any area that is mapped and meets the criteria outlined in Appendix 1 of the National Policy Statement Indigenous Biodiversity.

Significant Indigenous Vegetation Area - SIVA

means terrestrial indigenous vegetation meeting the criteria outlined in Appendix 3 of the Southland Regional Policy Statement including those areas identified in Appendix 7, or as part of a resource consent, or Biodiversity Covenant.

25. Splitting the definition clarifies that SNA's are those areas included in the District Plan prior to the commencement of the NPS-IB, while SIVAs are those areas meeting the criteria in the SRPS. This helps distinguish between which NPS-IB provisions are relevant to SNA's and which ones are relevant to SIVAs (NPS-IB 3.16 and objectives and policies only).
26. The proposed SNA definition specifically identifies SNA1 and SNA 2 in clause (a) as these are already captured by the NPS-IB SNA definition. Clause (b) has been added to future proof any changes to the criteria in Appendix 1 of the NPS-IB that might arise from future RMA reforms relating to SNA mapping, noting that mapping has been deferred for three years.
27. The proposed definition of SIVA is designed to align with the SRPS requirements. Specific reference to "terrestrial" indigenous vegetation has been made to rule out the wetland clause of SRPS Appendix 3 to reflect that this is a regional matter and Mr Wells evidence that notes that this did not form part of the SIVA assessment. An alternative option would be to replace PDP Appendix 4 with the relevant SRPS Appendix 3 provisions.
28. Reference to Appendix 7 has been included in the SIVA definition to reflect that the Hokonui Hills Area has already been assessed and SIVA areas identified. Changes to Appendix 7 to show the DoC Agreement Area as all SIVA and the key of Appendix 7 are recommended to reflect that Areas A, C and D in the Hokonui Hills Area are SIVA in accordance with ecological advice as follows:



29. Changes are also recommended to the key of the Indicative SIVA/IVA map (refer Appendix F) to note that these areas are indicative only given that no ground truthing has yet occurred. It is not necessary to refer to “Indicative” or “potential” in the definition or rules as the confirmation of whether these are actual SIVA or IVA will be undertaken at the resource consent stage noting that both SIVA and IVA are a subset of indigenous vegetation so clearance of either beyond permitted thresholds requires a resource consent. Whether indigenous vegetation is IVA or SIVA will only dictate whether discretionary or non-complying activity consent is required respectively so this can be ascertained at the resource consent stage.

SNA and SIVA Rules and Associated Provisions

Rules

30. Changes to ECO-R1 and ECO-R2 are not considered necessary to reflect the different approach to SNA and SIVA as these have largely been treated the same given the lack of direction in the SRPS around existing activities and the ecological advice outlined above. This distinction is also less significant given that ECO-R1 and ECO-R2 are triggered by any indigenous vegetation clearance regardless of whether the area is SNA, SIVA, or IVA. The distinction of vegetation significance relates to the consent pathway once this has been confirmed. Arguably, an easier pathway for IVA could be established however NPS-IB policy⁴ promotes a precautionary approach for indigenous biodiversity generally which has been adopted with IVA particularly given the indicative nature of mapping of these areas, especially outside the Hokonui Hills area.

⁴ NPSIB - Policy 3 requires that a precautionary approach is adopted when considering adverse effects on indigenous biodiversity

31. The effects management hierarchy requirements of the NPS-IB 3.16 will be met as resource consent for significant clearance associated with new activities will need to be considered as either a discretionary activity (IVA) or non-complying activity (SNA/SIVA) unless the minor clearance limits apply (50m² over 5 years outside the Hokonui Hills and 50m² to 3,759m² within the Hokonui Hills). Furthermore, if consent is required ECO-P4 and ECO-P10 will trigger an effects management hierarchy assessment.
32. Some numbering/phrasing errors to ECO-R2 were also identified in the Hearing Stream 10 hearing. These have been corrected in Appendix A.

Policies

33. Changes are required to some policies given amendments to the definitions of SNA and SIVA to reflect the relevant appendix (NPS-IB or SRPS) for their identification.
34. ECO-P1 would need to change as follows:

ECO-P1 Work in partnership with Local Authorities, mana whenua, stakeholders and landowners to:

1. Identify areas of indigenous vegetation;

2. identify all areas of significant indigenous vegetation or significant habitats of indigenous fauna as Significant Natural Areas (SNAs/~~SIVAs~~) to include:

- a. Areas identified as SNA-1 (~~Waterfall Range~~ Dolamore Park/Croydon Bush) and SNA-2 (Pukerau Red Tussock Reserve) on the planning maps, and
- b. ~~A variation to the Proposed District Plan to~~ identify areas that meet the terrestrial criteria set out in Appendix 4 or Appendix 3 of the Southland Regional Policy Statement; and

3. map and provide information about specified highly mobile fauna areas once they have been included in the Southland Regional Policy Statement map and describe each specified highly mobile fauna area.

35. Consequential changes are also required to ECO-P3 and ECO-P4 as outlined in Appendix A to also reference SIVA.

Overview

36. The necessity for changes to ECO-P13 to provide more specific guidance about the different levels of indigenous vegetation significance was also raised in the Hearing Stream 10 hearing. ECO-P13 states the following:

ECO-P13 Enable a range of activities and associated indigenous vegetation clearance that recognises the scale of farming operations, the different levels of significance of indigenous vegetation, and landowner conservation practises in the Hokonui Hills Area.

37. The different levels of significance of indigenous vegetation are identified in Appendix 7 at a macro level as this distinguishes between improved pasture areas, SIVA and IVA. The ecological assessment provided by Messer's Wells and Davis along with the

information provided by DoC on the 127ha management area provide a micro analysis of the ecological values across the Hokonui Hills Area. Rather than amending ECO-P13 it is therefore recommended that the Overview of the ECO chapter is amended as follows so that this additional ecological information can be utilised in any future resource consent applications:

38. Specific provisions have been included in the ECO chapter relating to indigenous vegetation clearance within the Hokonui Hills Area to recognise the scale of farming operations, the different levels of significance of indigenous vegetation, and landowner conservation practices. Further guidance is available at Gore District Council for Wantwood Station and Stoney Creek Station including a detailed assessment against the terrestrial provisions of Appendix 3 of the Southland Regional Policy Statement.
39. A compilation of ecological values of different areas of the Hokonui Hills area could be developed and made available at the Council along with the wider guidance on District wide ecological values attached at Appendix R (Ecosystem and Indigenous Biodiversity FAQs from Council website as at August 2023 – 18 January 2025) of my evidence in chief.
40. There was also discussion at the Hearing Stream 10 hearing about clearance associated with the removal of exotic species generally and pest plants and animals in accordance with the Regional Pest Management Plan or the Biosecurity Act 1993. I clarified at the hearing that the purpose of this clause in ECO-R1 and ECO-R2 was to enable the removal of exotic species, pest plants and animals rather than indigenous vegetation clearance associated with this. Consequently, I have recommended deleting these relevant clauses from ECO-R1 and ECO-R2 (refer Appendix A) and instead including the following text in the overview:

The removal of exotic species generally and pest plants and pest animals are enabled in the District Plan but not specifically addressed as this is managed by the Regional Pest Management Plan or the Biosecurity Act 1993.

41. A minor change to the Overview is also required to align with the memo of Counsel for the Hokonui Rūnanga (Josh Leckie) dated 28 February that amends reference to s6 (e) from s6(c) as outlined in Appendix A.

Notes

42. Changes to Note 1 have been recommended in the Hearing Stream 12 (Wrap-up) s42A report. These have been included in Appendix A but may need to be amended subject to evidence and decisions on Hearing Stream 12 matters.
43. Other References to SNA/SIVA Across the Plan
44. In Appendix 2 of my evidence in chief for HS10 I included a list of references to SNA across the PDP noting that this would need to be reviewed in light of the final approach taken to defining SIVA. I have recommended changes in Appendix G. Ostensibly references to SNA have been coupled with SIVA where these should largely be reflecting

RMA s6(c). Appendix G has also been updated to reflect the latest recommendations included in various minutes. This includes Hearing Stream 7, minute 27 Right of Reply which recommends deleting EW-R1-R6 and all area exclusions from earthworks rules.

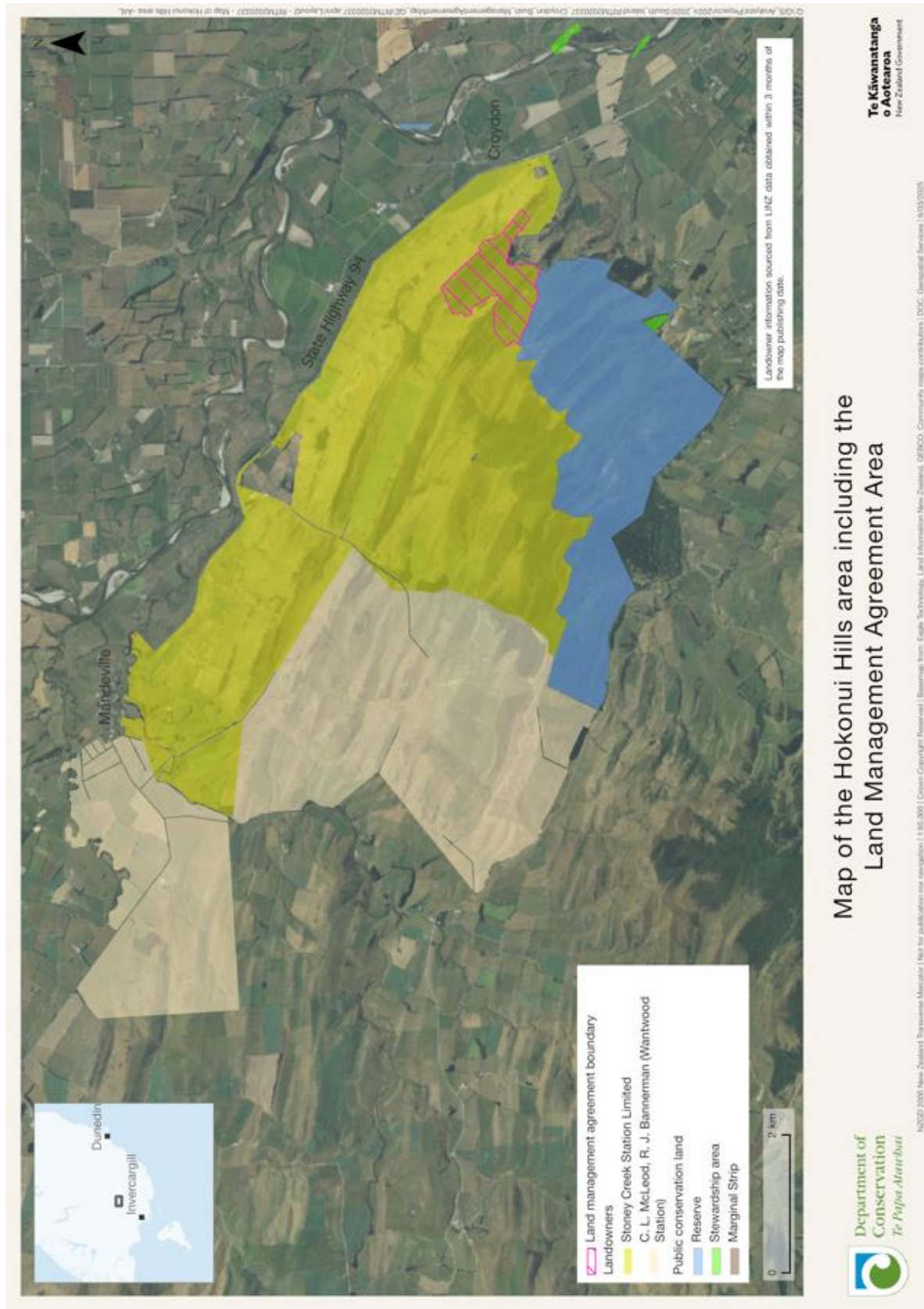
S32AA

45. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner. Changes to and definitions and the Overview will help with plan interpretation and administration. Changes to rules also seek to improve interpretation and alignment with national and regional direction and clarify the extent of clearance limits. Changes to policies help with rule guidance and alignment with national and regional direction.
46. The benefits of the amendments are that it is clear what is required in terms of PDP administration and that the PDP can be interpreted in a consistent manner. There are no significant costs with the amendments.
47. There is the potential for confusion with the interpretation of the PDP if the proposed amendments are not made.
48. The proposed amendments are considered to be a more appropriate way to achieve the objectives of the PDP.

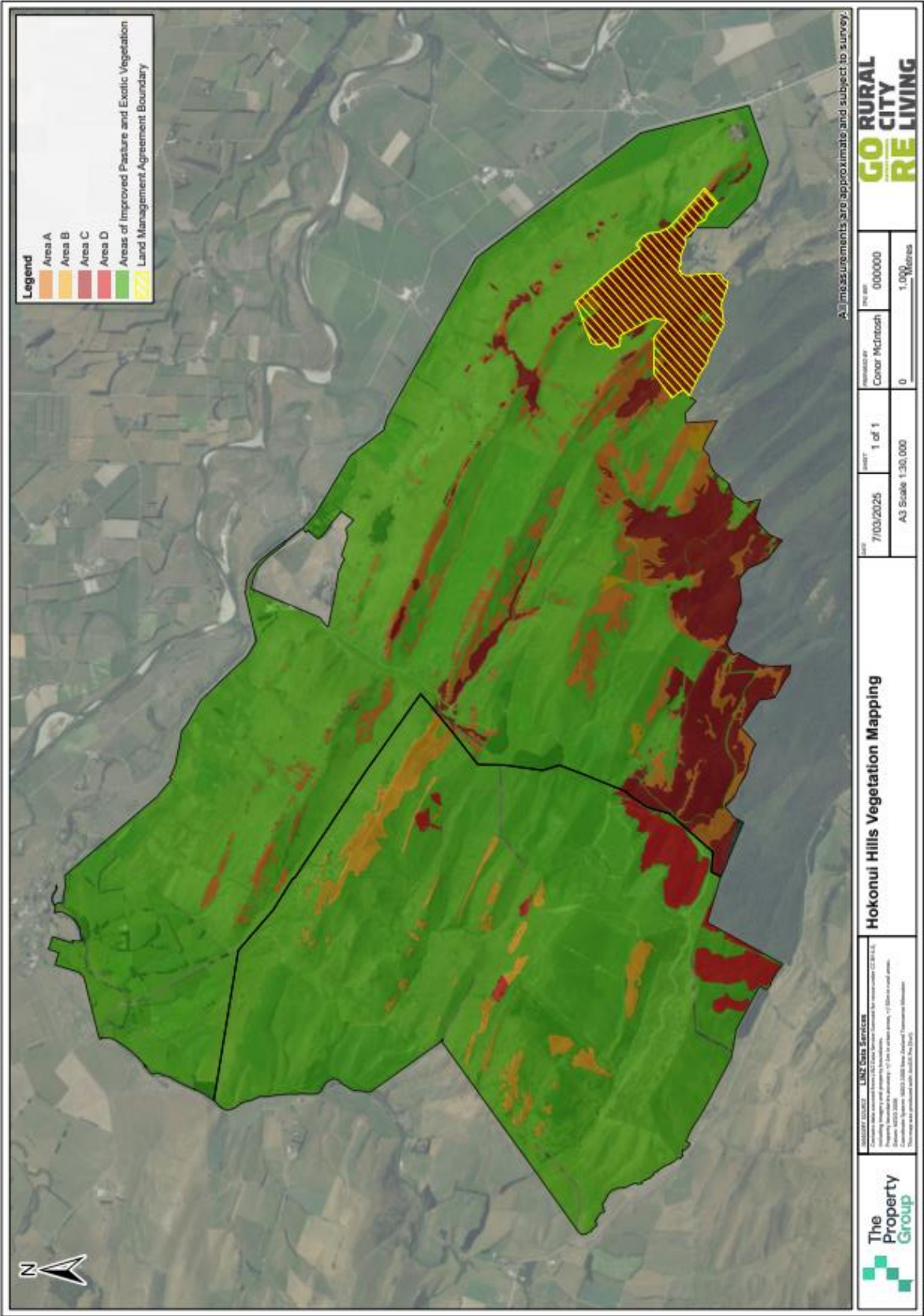
Appendix A – Circulated separately

Appendix B – Plans of Hokonui Hills DoC Agreement Area





Appendix C



Appendix D

NPS-IB Clause	ECO-R1 Clause
3.10 Managing adverse effects on SNAs of new subdivision, use, and development (5) If land in an SNA is covered by a specified covenant or kawenata, a local authority may, at the request of the landowner or lessee, allow certain specified activities within the SNA that may not be consistent with policy statements and plans 3.10 Managing adverse effects on SNAs of new subdivision, use, and development (6) Nothing in this clause applies to adverse effects on an SNA from any of the following: (a) any use or development required to address a high risk to public health or safety (b) the sustainable customary use of indigenous biodiversity conducted in accordance with tikanga (c) work or activity of the Crown within the boundaries of any area of land held or managed under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act (other than land held for administrative purposes) (e) the harvest of indigenous tree species from an SNA that is carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949 3.11 Exceptions to clause 3.10(2) (1) Clause 3.10(2) does not apply, and any adverse effects on an SNA of a new subdivision, use or development must be managed in accordance with clause 3.10(3) and (4), if: (a) the new subdivision, use or development is required for the purposes of any of the following: (i) construction or upgrade (if the upgrade does not meet the requirements of clause 3.15(2)) of specified infrastructure that provides significant national or regional public benefit (b) there is a functional need or operational need for the new subdivision, use or development to be in that particular location; and (c) there are no practicable alternative locations for the new subdivision, use or development. 3.21 Restoration (1) Local authorities must include objectives, policies, and methods in their policy statements and plans to promote the restoration of indigenous biodiversity, including through reconstruction of areas	ECO-R1 - Indigenous vegetation clearance and land disturbance - Activity status: Permitted - Where: 1. It is necessary for any of the following purposes:...(a) (iv) Critical infrastructure (v) network utilities and (b) The 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 (c) For Mahinga kai activities or for other Ngāi Tahu cultural purposes where the clearance is by mana whenua and in accordance with tikanga protocols (d) For the safe operation or maintenance of the National Grid..... (f) To implement an approved Reserve Act or Conservation Act reserve management plan or a Biodiversity Covenant (g) For the maintenance, repair or replacement of existing buildings and structures, or to minimise a potential fire risk including an area no further than 2.0m from the exterior wall of an existing building (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 (j) 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

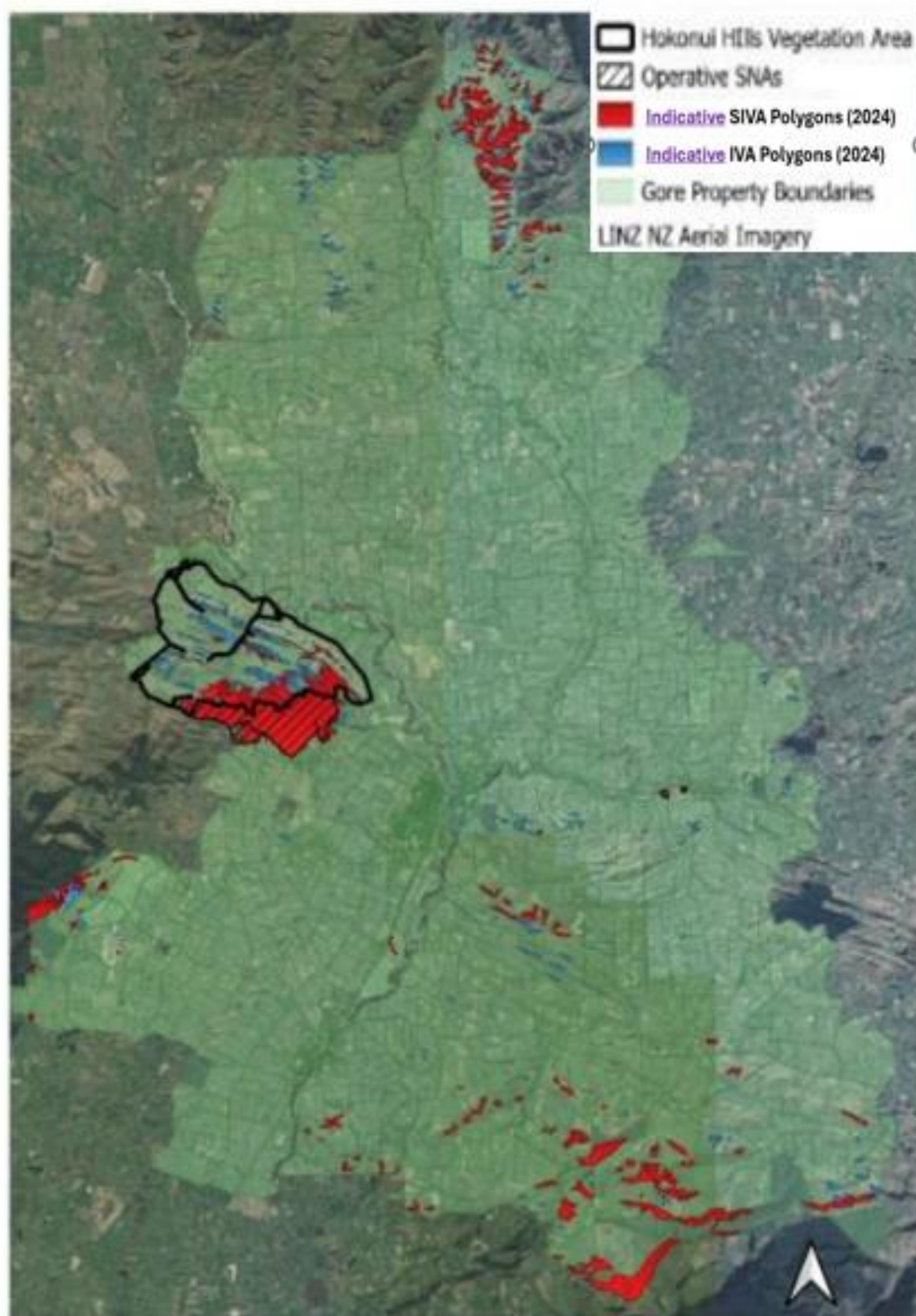
3.14 Plantation forestry activities (1) Except as provided in subclause (2), the adverse effects of plantation forestry activities in any existing plantation forest on any SNA must be managed in a manner that: (a) maintains indigenous biodiversity in the SNA as far as practicable; while (b) providing for plantation forestry activities to continue. (2) Despite clause 3.10, any part of an SNA that is within an area of an existing plantation forest that is planted, or is intended to be, replanted in trees for harvest must be managed over the course of consecutive rotations of production in the manner necessary to maintain the long-term populations of any Threatened or At Risk (declining) species present in the area. (3) Every local authority must make or change its policy statements and plans to be consistent with the requirements of this clause.	ECO-R1 - Indigenous vegetation clearance and land disturbance - Activity status: Permitted - Where: 1. It is necessary for any of the following purposes: (a) the maintenance, repair, replacement or upgrade of existing lawfully established: (i) fences, (ii) vehicle tracks and farm tracks, (iii) roads,.... (v) walkways, (vi) firebreaks, (vii) dams, (viii) waterway crossings.... the clearance or land disturbance is no more than 1.0m in width either side of those works in (ii), (iii), (iv), (v), (viii) and (ix) 1.5m for (vi), and where necessary is no greater in width than originally cleared for (i), critical infrastructure other than roads, (vii), (ix),
3.15 Managing adverse effects of established activities on SNAs (1) For the purpose of this clause, established activity means an activity (including maintenance, operation, and upgrade) that: (a) is in, or affects, an SNA; and (b) is not a new subdivision, use, or development. (2) Local authorities must include objectives, policies, and methods in their policy statements and plans to enable specified established activities, or specified types of established activities, to continue where the effects of the activity on an SNA (including cumulative effects): (a) are no greater in intensity, scale, or character over time than at the commencement date; and (b) do not result in the loss of extent, or degradation of ecological integrity, of an SNA. (3) If an established activity does not meet the requirements of sub-clause (2), the activity must be managed under clauses 3.10 to 3.14 or clause 3.18 (as relevant) as if it were a new use or development. (4) To avoid doubt, nothing in this clause affects existing use rights under sections 10 or 20A of the Act.	(e) Maintenance of improved pasture where: (i) the improved pasture has not become a SNA; and (ii) the land is not an uncultivated depositional landform; and (iii) it will not adversely affect a Threatened or At Risk (declining) species (k) The works relate to indigenous vegetation that was deliberately planted: (i) Within a domestic garden; or (ii) For the use of screening/shelter belt purposes (such as farm hedgerows); or (iii) Around the margins of an existing dam. (l) The indigenous vegetation has grown within an area of commercial forestry and is located outside SNAs/SIVAs. (m) For any other activity for existing farming operations covering an area of less than 50m² per 5-year period involving non-forest vegetation.
3.17 Maintenance of improved pasture for farming (1) This clause applies to the maintenance of improved pasture for farming where it may affect an SNA. (2) Local authorities must allow the maintenance of improved pasture to continue if: (a) there is adequate evidence to demonstrate that the maintenance of improved pasture is part of a regular cycle of periodic maintenance of that pasture; and (b) any adverse effects of the maintenance of improved pasture on an SNA are no greater in intensity, scale, or character than the effects of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and (c) the improved pasture has not itself become an SNA; and (d) the land is not an uncultivated depositional landform; and (e) the maintenance of improved pasture will not adversely affect a Threatened or At Risk (declining) species.	

Appendix E



Figure 1: Stoney Creek Station Farm Map – fencelines (white), ONL boundary (green)

Appendix F



Appendix G - Reference to SNA or Significant Natural Area throughout the Gore PDP (excluding ECO Chapter)

Chapter	Provision	Sentence
Introduction	Part 4- Appendices and Maps	~~Appendix 4 – ECO APP – Significant Natural Area Criteria~~
How the Plan Works	Overlays	Significant Natural Areas/ Significant Indigenous Vegetation Areas: Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna.
Interpretation		~~Council Authorised Biodiversity Management Plan: — means a management plan that is approved by the Council and mana whenua as part of an assessment of the biodiversity values undertaken or reviewed by a Council endorsed ecologist. This plan will ensure that Significant Natural Area and taonga species values are protected.~~
		sensitive environments: Means land identified with: Outstanding Natural Features and Landscapes or Significant Natural Area/ Significant Indigenous Vegetation Area or Areas of Indigenous Biodiversity <u>vegetation</u>
		~~Significant natural area (SNA): Has the same meaning as per the National Policy Statement for Indigenous Biodiversity and means:— Areas identified as SNA-1 (Waterfall Range) and SNA-2 (Pukerau Red Tussock Reserve) on the planning maps until a suitably qualified ecologist engaged by Gore District Council determines that it is not an SNA—~~

		~~any area that is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 4~~ ~~SNA also includes areas meeting the criteria outlined in Appendix 4 including those identified at resource consent stage or as part of a Farm Environment Plan assessment or as part of a Biodiversity Covenant.~~ <u>Significant Natural Area (SNA)</u> <u>Has the same meaning as SNA in the National Policy Statement for Indigenous Biodiversity and includes (a) Areas identified as SNA 1 (Dolamore Park and Croydon Bush) and SNA 2 (Pukerau Red Tussock Reserve) on the planning maps or (b) any area that is mapped and meets the criteria outlined in Appendix 1 of the National Policy Statement Indigenous Biodiversity.</u> <u>Significant Indigenous Vegetation Area (SIVA)</u> <u>means terrestrial indigenous vegetation meeting the criteria outlined in Appendix 3 of the Southland Regional Policy Statement including those areas identified in Appendix 7, as part of a resource consent, or Biodiversity Covenant.</u>
	Abbrevs	SNA Significant Natural Area or Areas <u>SIVA Significant Indigenous Vegetation Area</u> <u>IVA Indigenous Vegetation Area</u>
Subdivision	SUB-P3	Ensure <i>subdivisions</i> are designed to avoid, <u>remedy or mitigate and manage</u> [HS6] effects from site constraints, including but not limited to topography, the <i>national grid</i>, and significant natural areas/<u>Significant Indigenous Vegetation Areas</u> and areas of <u>indigenous vegetation</u>.
	SUB-P18	Protect and enhance ~~landscapes, vegetation and indigenous biodiversity~~ that are of a sufficient value that ~~they should be retained~~ <u>outstanding natural</u>

		landscapes, outstanding natural features, and <u>significant natural areas / Significant Indigenous Vegetation Areas</u> by ensuring appropriate subdivision design. [HS6]
	SUB-R1	The site does not contain a Significant Natural Area/ Significant Indigenous Vegetation Area or Outstanding Natural Landscape or Feature;
	SUB-R4	The site does not contain a Significant Natural Area/ Significant Indigenous Vegetation Area or Outstanding Natural Landscape or Feature;
	SUB-R5	The site does not contain a Significant Natural Area/ Significant Indigenous Vegetation Area or Outstanding Natural Landscape or Feature;
	SUB-R6	<u>measures to avoid, remedy or mitigate adverse effects: of any natural hazards or other risks; any historic heritage or notable tree; a Significant Natural Area/ Significant Indigenous Vegetation Area or Outstanding Natural Landscape or Feature; waterbodies, ecosystems; existing infrastructure; and on existing or permitted adjoining or adjacent land uses. [HS6]</u>
	SUB-R14	 <i>Subdivision</i> including any area of an Outstanding Natural Landscape, Outstanding Natural Feature or Significant Natural Area/ Significant Indigenous Vegetation Area SUB-R11 legal effect only applies to Significant Natural Area/ <u>Significant Indigenous Vegetation Area</u>

		Outstanding Natural Landscape, Outstanding Natural Feature or <i>Significant Natural Area</i> / <i>Significant Indigenous Vegetation Area</i>
Earthworks *This is from the notified PDP version. No changes have been made from hearings yet	Overview	~~This chapter excludes earthworks provisions relating to Historic Heritage sites, Significant Natural Areas Outstanding Natural Landscapes or Features and Amenity Landscapes. For earthworks rules relating to these topics, refer to those chapters.~~ <u>The earthworks chapter provisions apply to all zones, however other provisions within District-wide Matters chapters may apply to earthworks and land disturbance activities in addition to the earthworks chapter. For example, earthworks and land disturbance provisions relating to Historic Heritage sites, Significant Natural Areas Indigenous vegetation, Outstanding Natural Landscapes or Features, and Natural Hazards are located in their respective chapter. Provisions for mining, quarries and or gravel extraction are found in the General Rural Zone chapter. [HS7, minute 27 RoR]</u>
	EW-R1	~~All Zones~~ ~~Excluding Historic Heritage sites, Significant Natural Areas, Outstanding Natural Landscapes or Features~~ HS7, minute 27 RoR recommends deleting EW-R1-R6
	EW- R9	General Rural Zone ~~Excluding Historic Heritage sites, Significant Natural Areas, Outstanding Natural Landscapes or Features~~ HS7, minute 27 RoR recommends deleting all area exclusions
	EW-R11	All Zones

		~~Excluding <i>Historic Heritage</i> sites, <i>Significant Natural Areas</i>, Outstanding Natural Landscapes or Features~~ HS7, minute 27 RoR recommends deleting all area exclusions
	EW-R12	All Zones ~~Excluding <i>Historic Heritage</i> sites, <i>Significant Natural Areas</i>, Outstanding Natural Landscapes or Features~~ HS7, minute 27 RoR recommends deleting all area exclusions
	EW-R14	~~Commercial and (...) Excluding <i>Historic Heritage</i> sites, <i>Significant Natural Areas</i>, Outstanding Natural Landscapes or Features~~ ~~General Rural Zone (...)~~ ~~Excluding <i>Historic Heritage</i> sites, <i>Significant Natural Areas</i>, Outstanding Natural Landscapes or Features~~ HS7, minute 27 RoR recommends deleting all area exclusions
Energy	ENRG – P7	Avoid the location of (...) 2. <i>significant natural areas</i>/ <u>Significant Indigenous Vegetation Areas</u>
	ENRG-P11	Require <u>Large scale renewable electricity generation activities</u> (...) ~~effects on adequate separation distances from sensitive activities and Outstanding Natural Features and Landscapes to ensure conflict and reverse sensitivity effects are minimised; and significant environmental values, such as Outstanding Natural Features and Landscapes and Significant Natural Areas/ Significant Indigenous Vegetation Areas.~~ [HS7]

Infrastructure	INFR-R9	Where (...) A <u>Significant Natural Area/ Significant Indigenous Vegetation Area</u>
Transport	TRANS- R1	Where (...) 3.(d) <u>Significant Natural Area/ Significant Indigenous Vegetation Areas</u> <u>or highly mobile fauna area</u> [HS5]
General Rural Zone	Overview	The General Rural Zone includes outstanding natural landscapes, <u>significant natural areas/ Significant Indigenous Vegetation Areas</u>, <u>indigenous vegetation</u> and the general environment...
	GRUZ-P13 *located in deleted and new text	Recognise <u>critical infrastructure</u> that Regionally Significant ~~Infrastructure~~ might be best located in the General Rural Zone, except where there is an Outstanding Natural Landscape, Outstanding Natural Feature, ~~Significant Natural Area~~, ~~Natural Hazard risk~~ or Site of Significance to Māori. <u>that has a functional and operational need to locate in the General Rural Zone, by enabling the operation, maintenance and upgrading of critical infrastructure and providing for new critical infrastructure except where:</u> <u>The activity would be inappropriate in an area of Outstanding Natural Landscape, Outstanding Natural Feature or <u>Significant Natural Area/ Significant Indigenous Vegetation Area</u>;</u> <u>There is an unacceptable natural hazard risk; or</u> <u>The activity has significant environmental or cultural effects that cannot be avoided or mitigated to an appropriate level; or</u>

		<u>The site is wāhi tapu or the activity has a significant effect on cultural values that cannot be avoided or mitigated to an appropriate level [HS3]</u>
	Note 2	... more restrictive rules on Forestry on Outstanding Natural Landscapes, Outstanding Natural Features or <i>Significant Natural Areas/</i> <u>Significant Indigenous Vegetation Areas</u> .
	GRUZ-R2	All areas excluding <i>Historic Heritage sites, Significant Natural Areas/</i> <u>Significant Indigenous Vegetation Areas</u> (...)
	GRUZ-R3	All areas excluding <i>Historic Heritage sites, Significant Natural Areas/</i> <u>Significant Indigenous Vegetation Area</u> (...)
	GRUZ-R1	This rule does not apply to <u>Commercial [HS3]</u> Forestry in an ONL, ONF or <i>SNA/SIVA</i> , which is subject to District Plan rules NFL-R8 and ECO-R1.
Rural Lifestyle Zone	Note 2	... more restrictive rules on Forestry on Outstanding Natural Landscapes, Outstanding Natural Features or <i>Significant Natural Areas/</i> <u>Significant Indigenous Vegetation Areas</u> . In those circumstances resource consent will be required from the Gore District Council.
Settlement Zone	Note 2	... more restrictive rules on Forestry on Outstanding Natural Landscapes or <i>Significant Natural Areas/</i> <u>Significant Indigenous Vegetation Areas</u> . In those circumstances resource consent will be required from the Gore District Council.
Appendix 4	Title	~~Appendix 4 – Criteria for identifying areas that qualify as Significant Natural Areas – ECO-APP~~

	~~Diversity and pattern criterion~~	~~(5) An area that qualifies as a significant natural area under this criterion has at least one of the following attributes:-~~
	~~Attributes of ecological context~~	~~(c) provides an important full or partial buffer to, or link between, one or more important habitats of indigenous fauna or significant natural areas:-~~ ~~-~~