



IN THE MATTER AND IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of Hearing of Submissions and Further
Submissions on the Proposed Gore
District Plan

Minute 41 of the Hearings Panel

ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

3 March 2025

**Minute 41 - Gore Proposed District Plan
Ecosystems and Indigenous Biodiversity Chapter**

1. INTRODUCTION

1.1 The purpose of this Minute is to indicate considerations of the Hearings Panel (the Panel) and provide directions following the hearing of submissions on the Ecosystems and Indigenous Biodiversity chapter on 24 and 25 February 2024.

1.2 Arising from the submissions and evidence presented at the hearing, particularly on behalf of the Director-General of Conservation, there are relevant issues the Hearings Panel wishes to explore further, as follows:

- Recognising, and providing enduring protection for an area of 127 ha within the Hokonui Hills precinct that is subject to an agreement between the landowners and the Department of Conservation.
- Understanding of the process adopted to identify Significant Indigenous Vegetation Areas (SIVA) within the Hokonui Hills precinct.
- The status of SIVA land outside of the Hokonui Hills precinct.

127ha Subject to Agreement

1.3 Glen Davis, an expert ecologist appearing on behalf of Stoney Creek Station referred to this area at paragraph 2.3 of his supplementary evidence as follows:

This block is the subject of an Agreement for the Management of Land between Stoney Creek Station and the Department of Conservation (under s29 of the Conservation Act) that prohibits Stoney Creek from grazing the land or undertaking any activities that could disturb the ecological values of the area. This area is therefore not subject to the proposed vegetation clearance provisions in Rule ECO-R2 1 j. or k. and the high values recorded by the DOC are not at risk of disturbance.

1.4 The Hearings Panel are not clear that the draft provisions protect this area at present in the way described by Mr Davis.

1.5 The evidence on behalf of the Director General of Conservation refers to that agreement being solely with the current landowners and not remaining in place following a transfer of the land to a new owner. The Panel was also advised that the Department of Conservation had provided funding for the fencing and undertaken planting of rare indigenous species within the area.

1.6 The Hearings Panel is not aware of the precise location of the 127 ha subject to the agreement and wishes to consider the option of including bespoke provisions applying to this land in the Ecosystems and Indigenous Biodiversity chapter. It is anticipated that such provisions would resemble those applying to an SNA.

Identification of SIVA within the Hokonui Hills Precinct

1.7 The Proposed District Plan Appendix 4 sets out the criteria for identifying areas that qualify as Significant Natural Areas. In particular, subclause 1(1), qualified by subclauses 1(2) and 1(3), states an area qualifies as a Significant Natural Area (SNA) if it meets any one of the attributes of the following four criteria:

- (a) representativeness:
- (b) diversity and pattern:
- (c) rarity and distinctiveness:
- (d) ecological context.

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- 1.8 Glen Davis in section 4 of his evidence in chief sets out the methodology for mapping the vegetation of Stoney Creek Station as follows:
- The mapping involved the review of Google Earth satellite imagery and importing the imagery into our GIS software for mapping purposes. An initial mapping exercise was undertaken from detailed analysis of the aerial imagery and this work was subsequently ground truthed with two site visits to survey the vegetation communities and improve the resolution of the initial mapping.
- 1.9 Section 5 of the Glen Davis evidence in chief describes the ecological values of the Stoney Creek Station area with differentiation of:
- Broadleaf forest
 - Manuka/Broadleaf shrubland
 - Harakeke/Dracophyllum/Olearia shrubland
 - Small-leaved Coprosma/Corokia scrubland
 - Tussock grassland and grey shrubland
- 1.10 Andrew Wells at paragraph 9 of his supplementary evidence states the “SIVA are very likely to also be SNA as defined in the NPS-IB and to meet the significance criteria in the Southland Regional Policy Statement, subject to confirmation from field survey.” He went on to describe at paragraph 14 three broad categories of vegetation community he identified from the aerial imagery analysis and binocular viewing as follows:
- High value indigenous vegetation
 - Mixed indigenous/exotic vegetation
 - Exotic grassland
- 1.11 At paragraph 16 of his supplementary evidence, Andrew Wells also stated “During the site visit to Wantwood Station in October 2024, mapped areas of indigenous vegetation were inspected on foot and the mapping refined where required. Threatened or At Risk species observed were noted” and at paragraph 19 “the site visit confirmed that all other areas of vegetation mapped from desktop analysis were accurately categorised.”
- 1.12 Andrew Wells did not undertake a detailed site assessment of the Stoney Creek Station property but rather relied on the work of Glen Davis and two e3scientific ecologists Liam Salemink-Waldren and Trudy Anderson. Andrew Wells did note however at paragraph 23 of his supplementary statement that the Vegetation Areas A – D “matched extremely closely with my mapping of high value indigenous vegetation, mixed indigenous/exotic vegetation and exotic pasture respectively.”
- 1.13 Data supporting the conclusions of Mr Davis and Mr Wells is not currently visible in evidence to the Hearings Panel.
- 1.14 Having considered the submissions and evidence of the Director-General of Conservation, it is unclear to the Hearings Panel, to what extent regard was given to the four significance criteria listed in paragraph 1.6 above, and the level of information collated to fulfil the requirements of clause 3 of Appendix 4 “Manner and Form of Assessment”.
- 1.15 If the Hearings Panel is not satisfied that the approach of Appendix 4 of the Proposed District Plan has been appropriately adopted then this impacts on the recommended approach of equating SIVA to SNA within the Hokonui Hills precinct. If a full

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assessment meeting the requirements of Appendix 4 is available then the Hearings Panel require this to inform decisions on the Proposed Plan. Depending on details of a full assessment, alternative descriptions of the Hokonui Hills areas may be required that differ from the District as whole, together with subsequent changes in the wording of the currently recommended provisions.

Status of SIVA Outside of the Hokonui Hills Precinct

- 1.16 Andrew Wells stated at paragraph 8 of his supplementary evidence:

Wildlands was engaged by Gore District Council in 2024 to provide ecological advice and input into the proposed Gore District Plan review process. Aspects of this input included the following

- (a) Refinement of the desktop mapping of indigenous vegetation within Gore District, using the latest available aerial imagery, publicly available ecological survey reports, and input from the Biodiversity Working Group established by Council to progress significant natural area (SNA) mapping.

- 1.17 Mr Wells also stated at paragraph 9:

Gore District Council requested Wildlands to produce updated mapping of terrestrial indigenous vegetation within Gore District. This mapping sought to delineate areas of likely non-significant indigenous terrestrial vegetation (termed 'indigenous vegetation areas', or IVA), and areas of likely significant indigenous terrestrial vegetation (termed 'significant indigenous vegetation areas,' or SIVA). The SIVA are very likely to also be SNA as defined in the NPS-IB and to meet the significance criteria in the Southland Regional Policy Statement, subject to confirmation from field survey.

- 1.18 In the absence of a field survey as referred to in the final sentence above, it appears to the Hearings Panel that the land identified as SIVA within the wider District cannot be given a classification that equates with an SNA or expressed without qualification as being "significant". The s42A reporting officer recommended definition of SNA/SIVA from supplementary evidence includes as a precondition "an assessment of the area in accordance with Appendix 4".

- 1.19 It may therefore be appropriate to:

- (a) separate the definitions of SIVA and SNA, depending on whether an area has been assessed as meeting criteria in Appendix 4; and
- (b) provide separate objectives, policies and rules based primarily on the current recommended provisions, applying to areas classed as SNA, which are already existing, have been assessed as meeting criteria in Appendix 4 through this process, or may be added to the District Plan in the future following appropriate assessment.
- (c) provide separate provisions for areas currently mapped SIVA and IVA in the wider district with a qualification as to their potential status (e.g. Potential Significant Vegetation Area or PSIVA). Some minor rewording maybe all that is required to the currently recommended provisions, including rule ECO-R1.

2. PANEL DIRECTIONS

- 2.1 The Department of Conservation, by 1:00pm 7 March 2025, shall provide the Hearings Administrator with a scaled plan showing the location and extent of the 127ha of land subject to the agreement between the landowners and the Department of Conservation.

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- 2.2 Andrew Wells, in consultation with Glen Davis, by 1:00pm 14 March 2025, shall submit a statement to the Hearings Administrator setting out the extent to which regard was given to the four significance criteria listed in paragraph 1.6 above, and the level of information collated to fulfil the requirements of clause 3 of Proposed District Plan Appendix 4 "Manner and Form of Assessment". This shall include advice as to whether the work undertaken meets the requirements of Appendix 4.
- 2.3 Matt Heale, by 1:00pm 21 March 2025, provide a draft update of the Biodiversity and Indigenous Vegetation chapter incorporating:
- (a) a revised map of the Hokonui Hills with the 127ha area of land that is subject to the agreement between the landowners and the Department of Conservation incorporated on the map (and potentially differentiated) with clarification of provisions applying to that area;
 - (b) separate definitions for SNA and SIVA, including application of an appropriate definition of areas assessed as meeting criteria in Appendix 4 within the Hokonui Hills precinct. In the absence of field surveys, consideration should be given to describing SIVA in the wider district as Potential SIVA (or PSIVA)
 - (c) separate rules for SNA and SIVA (or PSIVA) applying to land within and outside of the Hokonui Hills Precinct with reference to the effects management hierarchy where necessary.
- 2.4 Those submitters attending the hearing (Stoney Creek Station, Wantwood Trust/Wantwood Station, Director-General of Conservation and Federated Farmers) by 1:00pm 28 March 2025 provide any feedback on the statement referred to in paragraph 2.2 and the updated chapter provisions referred to in paragraph 2.3 above.
- 2.5 Matt Heale, by 1:00pm 3 April 2025 provide a report responding to any feedback from the submitters and other relevant matters for consideration by the Hearings Panel.
- 2.6 At the request of the Council or any of the submitters referred of in paragraph 2.4, the hearing will be reconvened on 8 April 2025 to consider any outstanding issues.

Any queries regarding this Minute should be directed to the Planning Department of the Gore District Council, phone (03) 209 0330 or email hearings@goredc.govt.nz.



Keith Hovell
Hearing Panel Chair