

Memorandum

Attention:	To whom it may concern
Company:	Central Otago District Council
Date:	03.06.25
From:	Kate Wardle
Message Ref:	Comments on TKO PROPERTIES – RC230179, Minute 11 of Hearing Panel

To Whom it May Concern

Thank you for the opportunity to provide a comment on the application as amended.

1. In my original submission, I highlighted the lack of detail regarding ecological baseline information, botanical in particular, that would be required to make sound decisions. Subsequent survey work done by the Applicant's ecologists have, as expected, found many more indigenous plant species, both in number, and extent.
2. In my opinion, the amended Application has merely tweaked the compensation package to include more planting and removal of only one Lot, and does not address the original issue relating to the loss of the collective habitat in the landscape, nor the loss of threatened plant species and their habitat.
3. The proposed compensation package comprises primarily planting of indigenous woody species into existing kanuka shrubland, as well as into cushionfield, whose value has been highlighted by myself and the Department of Conservation, through this resource consent process, rather than protection of a sizeable area of cushionfield.
4. The presence of Threatened and At Risk plant species has been confirmed within the development zones (i.e. Lots and wastewater zone) only (Attached at end of memo).
5. The latest mitigation proposal includes the remove of Lot 7 from the development. While this will result in the largest population of Nationally Endangered *Myosotis brevis*, and associated cushionfield not being developed, this in no way makes up for the widespread loss of important dryland habitats that will take place as a result of the latest amended application.
6. It is of great concern that the amended Application does not protect the habitat of the Nationally Critical spring annual herb *Ceratocephala pungens* from development.
7. The definition of Nationally Critical is "**most severely threatened, facing an immediate high risk of extinction**".

8. *Ceratocephala pungens* is a small transient herb species, found only in New Zealand. Its historic range included Mackenzie Basin and Central Otago. Populations in the Mackenzie appear to be now extinct, so this extremely threatened plant is now confined to Central Otago across a small number of sites centred around Cromwell/Bendigo and Alexandra basins. There may be about 750 plants left Nationally, but this number varies considerably between years as germination requires specific environmental conditions that do not necessarily occur each year, while other years there may be more. This species used to be present in large numbers, but loss of habitat through land development (conversion of dryland to irrigated pasture, vineyards, and housing development such as this one) has severely diminished this species.
9. I appreciate that it is difficult for the general public to grasp the plight that this small herb is facing, however it's critically endangered animal equivalent include the kakapo of New Zealand, or gorilla of East Africa.
10. Within the Application Area, Wildlands recorded *Ceratocephala pungens* at eleven Lots and the Wastewater area (see in Table 1, from Minute 6 of the Commissioner, below). Of these, Lots 4, 5, 6 have subpopulations from 36 to over 50 plants, which are of significant size for this species.
11. The habitat of these larger subpopulations should be protected from development; Lots 4, 5 and 6 should be withdrawn, as has taken place for *Myosotis brevis* on Lot 7.
12. **In summary, given that the amended Compensation package has not fundamentally changed, and does not protect the mosaic of significant habitats present at Rocky Point, nor go far enough in protecting Threatened and At Risk flora, I still think the Application should be declined.**
13. **However, it goes ahead, then it should be further amended to protect the Nationally Critical *Ceratocephala pungens* habitat, through the removal of Lots 4, 5 and 6 from the proposal, and these areas being included in a biodiversity protection zone.**

Additional Comments

Rocky Point Compensation Plantings on Bendigo Hills Subdivision RC 210148V2

14. An Application by TKO Properties of adjoining Bendigo Hills was referred to in correspondence relating to RC230179. This subdivision has recently been consented without any public notification and is now on the market.
15. The Resource Consent for RC 210148V2 includes conditions for compensation planting (see 1(a) in text box below) that are clearly double-dipping on those currently required to meet conditions for RC230179 i.e. 0.43ha of compensation planting near the Bendigo Scenic Reserve is used as part of the RC210149V2 1ha requirement for compensation planting.
16. This error needs to be addressed so that the area of compensation planting is adequate for both of each resource consents. If it is too late to amend the Conditions for RC21048V2 by removing clause 1(a), an additional 0.57ha of planting should be required for the Rocky Point

subdivision RC230179, or a large area of cushionfield be added to the protection zone, where no further subdivision is permitted.

Compensation Planting (Bendigo Hills RC 210148V2)

1. Prior to Section 224(c) certification, the consent holder must provide evidence to the Chief Executive that compensation planting has been undertaken within the site, consistent with either of the following circumstances:
 - (a) In the event that RC230179 on the adjoining site at Rocky Point is granted and given effect to, the planting required by the condition of that consent have been undertaken and an additional 0.57ha of plantings established over exotic-dominant vegetation adjacent to the westernmost planting site referred to, in that consent as "Hemlock Gully", or
 - (b) A total of 1ha of plantings established over exotic-dominant vegetation in the westernmost planting site referred to as "Hemlock Gully".

Yours sincerely

Kate Wardle

kate wardle ecologist & botanical consultant

400 Galloway Road RD3 Alexandra 9393 | P: 0274 370936 | E: ecologicalservicesnz@gmail.com

Table 1 – Threatened and At Risk plant species recorded during a survey on 11 and 12 December 2024 within the impact zone of the 30 lots and wastewater disposal area at Rocky Point. One Not Threatened species (*Convolvulus waitaha*) is also included as it is a locally uncommon species. Species name abbreviations are as follows: CERpun *Ceratocephala pungens*; COLbre *Colobanthus brevisepalus*; CONwai *Convolvulus waitaha*; CRamat *Crassula mataikona*; MYObre *Myosotis brevis*; MYOmsn *Myosurus minimus* subsp. *novae-zelandiae*; POAman *Poa maniototo*; RAOaus *Raoulia australis*; RAObea *Raoulia beauverdi*; RYTmac *Rytidosperma maculatum*; XANsem *Xanthoparmelia semiviridis*. Numbers of plants are recorded when less than 50 individuals were counted. Where more than 50 plants were present, species abundance was estimated using the following classes: OC (occasional) - scattered occurrence across the site; LC (locally common) - common in some habitats, but uncommon elsewhere; FR (frequent) - occurring widely across the site, but not dominant; AB (abundant) - dominates a vegetation tier across most of the site.

Locality	CERpun	COLbre	CONwai	CRamat	MYObre	MYOmsn	POAman	RAOaus	RAObre	RYTmac	XANsem
Lot 1	8	4838		3			43	AB		OC	OC
Lot 2	43	34		2	24		OC	AB		3	OC
Lot 3	1	4		2			8	AB	32		OC
Lot 4	OC			OC			LC	AB			FR
Lot 5	OC	LC		OC	32			AB	4	4	FR
Lot 6	36			109			OC	AB		OC	FR
Lot 7	54			5	LC		OC	AB			FR
Lot 8		3					OC	AB			FR
Lot 9							42	AB			FR
Lot 10					11			AB			FR
Lot 11	54			21			53	4			OC
Lot 12											OC
Lot 13		4					OC	AB			FR

Locality	CERpun	COLbre	CONwai	CRamat	MYObre	MYOmsn	POAman	RAOaus	RAObre	RYTmac	XANsem
Lot 14			174		9		OC	AB			FR
Lot 15											OC
Lot 16											OC
Lot 17											OC
Lot 18		37	241				OC	AB			FR
Lot 19				2	112			AB			FR
Lot 20	87	3			1	LC		3			FR
Lot 21	43			54	1	LC					FR
Lot 22			186					FR			OC
Lot 23			97				LC	FR			LC
Lot 24					2			AB			FR
Lot 25		5					OC	AB			OC
Lot 26	54			54	3	5	42	FR			OC
Lot 27											
Lot 28	76			32							
Lot 29				175							
Lot 30								4			
Wastewater area	1						OC	9			FR

Note:

Development areas that have large subpopulations of *Ceratocephala pungens* highlighted in pink

Development areas that have small subpopulations of *Ceratocephala pungens* highlighted in yellow