

**UNDER**

the Resource Management Act 1991

**IN THE MATTER OF**

submissions and further submissions by the  
Director-General of Conservation on the  
Proposed Kapiti Coast District Plan 2012

---

**STATEMENT OF EVIDENCE OF CHRISTOPHER PAUL RENDALL ON  
BEHALF OF THE DIRECTOR-GENERAL OF CONSERVATION**

**CHAPTER 2 – OBJECTIVES**

**SUBMITTER NUMBER: 202**

**Dated: 29 March 2016**

---

Department of Conservation  
PO Box 10 420  
WELLINGTON  
Counsel acting:  
Olivia Eaton  
Email: [oeaton@doc.govt.nz](mailto:oeaton@doc.govt.nz)  
Telephone: 04 471 3295

## INTRODUCTION

### *Qualifications and experience*

- 1 My name is Christopher Paul Rendall. I am currently employed by the Department of Conservation as a Senior National Advisor Resource Management Act. I have been in this role since January 2014. Prior to this role I was a Community Relations Ranger for the Department based in Taranaki. During my time with the Department I have been involved in a wide range of consenting and ongoing management activities under a variety of legislation including the Resource Management Act 1991, the Conservation Act 1987, the Crown Minerals Act 1991 and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012. This has included providing conditions evidence at the Chatham Rock Phosphate marine consent hearing and planning evidence at the New Plymouth Waste Water Treatment Plant re-consenting. I have also written submissions and compiled comments provided to councils as part of plan review processes and between government agencies informing the drafting of national environmental standards and policy statements. I have also been involved in a wide range of consents including within the coastal environment and affecting indigenous vegetation. Prior to working for the Department I worked for a consultant geologist assisting in the preparation of applications for minerals permits, resource consents and access arrangements.
  
- 2 I have a Masters of Planning from the University of Otago. I am a graduate member of the New Zealand Planning Institute and a member of the Australasian Institute of Mining and Metallurgy. My Masters thesis examined good practice for following up on the initial assessment of environmental effects focusing on how a non-linear impact assessment process can be used to manage activities with effects that change through time. I also have a Bachelor in Science majoring in Zoology with a minor in Ecology.

### ***Code of Conduct***

3 I have read the Environment Court's Code of Conduct for Expert Witnesses in the Environment Court Consolidated Practice Note (December 2014), and I agree to comply with it. My qualifications and experience as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### **SCOPE OF EVIDENCE**

My evidence is divided into five sections:

- a) First, I briefly identify the materials I considered while drafting this submission.
- b) Second, I summarise the Director-General's submission.
- c) Third, I identify the planning basis upon which this evidence relies.
- d) Fourth, I give planning evidence on the particular matters raised by the Director-General in his submission and address matters raised in Part B of the Officer's s42A Report.

4 I acknowledge that some parts of the plan have been withdrawn. I note that I will not discuss the parts of objectives that have been withdrawn.

5 Where my comments below discuss proposed amendments to Objectives this refers to suggested changes outlined in the s42A Report.

6 In the interests of a constructive process I am happy to contribute to drafting of objectives during the hearing process.

### ***Material considered***

7 In preparing this evidence I have read and given consideration to:

- a) The Kapiti Coast Proposed District Plan (Chapter 2; as notified)

b) The s42A Report (Part B)

### ***The Director-General's Submission***

- 8 The submission was largely supportive of the approach taken by Council.
- 9 Where the Director-General's submission supported provisions that have been retained unchanged in the Officers Report, I will not discuss these further. Neither will I discuss provisions where simple submission points have been accepted.

### ***Planning Basis***

- 10 It is well recognised that the Proposed Plan must give effect to the New Zealand Coastal Policy Statement (NZCPS), other National Policy Statements, National Environmental Standards and the Regional Policy Statement.
- 11 An important consideration in my evidence is considering the objectives, policies and rules necessary in order to give effect to the NZCPS. The Minister of Conservation has several statutory functions relevant to coastal management. These are outlined in Section 28 of the Resource Management Act 1991, and include the monitoring of the effect and implementation of New Zealand coastal policy statements.

### ***Objectives***

- 12 The Director-General's submission supported Objectives 2.2, 2.4, 2.5, 2.9 and 2.18. In further submissions the Director-General supported the retention of Objective 2.3(e) and 2.11 as drafted and generally opposed submissions seeking amendments to the Objectives listed above as drafted. The Director-General's submission requested amendments for Objectives 2.6, 2.13, 2.14 and 2.15.

### **Objective 2.2: Ecology and Biodiversity**

- 13 While Objective 2.2 b) has been redrafted I consider that, in agreement with the reasons outlined in the s42A Report, this amendment is

appropriate. However, I do not agree that deletion of the explanation paragraph for Objective 2.2 starting with ‘The loss...’ as I consider that it provides context and clarity regarding the objective.

#### **Objective 2.4: Coastal Environment**

- 14 I do not consider that the proposed redrafting of Objective 2.4 in the s42A Report gives effect to Policies 13 and 15 of the NZCPS or addresses s6(a) matters.
- 15 The redrafting of 2.4 a) ‘cherry picks’ a very select group of values to protect and restore while providing no guidance regarding what is hoped to be achieved for natural character in the general coastal environment in accordance with Policy 13 .
- 16 It may be clearer if objective 2.4 a) was expanded or split out into values and associated management objectives sought. I agree that protection of *all* natural values is too high a threshold if applied to the entire coastal environment and may lead to unreasonable restrictions on the use of the coastal environment.
- 17 Deletion of 2.4 c) (regarding dunes), especially with the proposed rewording of 2.4 a), provides less clarity regarding the values that are important within the coastal environment of Kapiti and the requirement for s6(a) ‘preservation of natural character’.
- 18 I consider that the new proposed 2.4 c) is inappropriate as it does not provide sufficient direction to avoid certain effects, or effects on specific values.
- 19 I consider that the revision to 2.4 b) (recreation/access) does not provide clarity regarding vehicle access or highlight that there are instances where walking access is inappropriate for example to protect dunes or native species (NZCPS Policy 19). If the intent is for management of vehicle access including prevention of inappropriate vehicle access it would be clearer for this to be stated.

20 I consider that the explanation relating to the coastal environment would provide greater guidance if it was redrafted rather than sections simply being deleted. For example rather than deleting the last sentence in the first paragraph it would provide greater clarity if it was reworded. Suggested wording could be:

- a) ‘However, the coastal environment is more than the beachfront and dunes. There are areas within the broader landscape which contain coastal values. The wider coastal system includes river mouths, estuaries and lagoons.’

I consider that the second sentence of the second paragraph should be retained as written as it is an accurate statement.

21 I note that there are policies and rules relating to these objectives which will be discussed at a later date. Changes to these objectives will need to be reflected by linkages to the relevant policies and rules.

22 I also note that it will need to be determined in later hearings whether only outstanding natural landscapes exist or whether some of those are actually outstanding natural features. This will influence whether the wording of Objective 2.4 appropriately reflects Policy 15 of the NZCPS.

23 I would like to contribute to the redrafting of the coastal environment objective; however, I will be in a better position to comment on specific wording when the s42A report for the relevant policies and rules is available.

### **Objective 2.6: Rural Productivity**

24 I consider the suggested amendments to Objective 2.6 in the Section 42A Report are reasonable based on the discussion provided in that Report. I consider that in some instances ‘protection’ may constrain appropriate use of the environment.

## **Objective 2.9: Landscapes**

- 25 The Director-General submitted that Objective 2.9 be retained as written. I consider that the amendments proposed within the Section 42A Report substantially change the scope of this objective. I consider that the other matters that were previously covered by this objective should be retained within an objective. Therefore, I consider that Objective 2.9, or a new objective, should provide for the matters covered by s6(a) that are not within the coastal environment, including wetlands, and lakes and rivers and their margins.
- 26 Section 6(a) matters could be reflected by amending the existing wording to highlight that natural character of wetlands, and lakes and rivers and their margins is to be preserved through protection from inappropriate subdivision, use and development. I note that within the district there are examples of activities such as flood protection works which may reduce natural character of rivers (at least in the short term), but can be designed to result in natural patterns and processes in the medium to long term (as is occurring in relation to the Otaki River).
- 27 If these matters are incorporated into this objective, it could be renamed Landscapes and Natural Character (non-coastal).

Dated: 29 March 2016



---

Chris Rendall