



Department of
Conservation
Te Papa Atawhai

DOC-7119938
DOC reference: CP191

10 August 2022

Kāpiti Coast District Council
175 Rimu Road
Paraparaumu 5032

Email: district.planning@kapiticoast.govt.nz

Dear Sir/Madam,

Submission on Plan Change 1F – Modification of indigenous vegetation and update to key indigenous tree species list – Operative Kāpiti Coast District Plan 2021

Please find enclosed the submission by the Director-General of Conservation in relation to Plan Change 1F – Modification of indigenous vegetation and update to key indigenous tree species list. The submission generally supports the intent of the plan change to strengthen controlled activity rule ECO-R6, which manages the modification of indigenous vegetation in particular circumstances.

Please contact Ashley Sycamore (RMA Planner) in the first instance if you wish to discuss any of the matters raised in this submission (asycamore@doc.govt.nz or 027 234 4847).

Yours sincerely,

Angus Hulme-Moir
Operations Manager – Wellington
Department of Conservation
Te Papa Atawhai

RESOURCE MANAGEMENT ACT 1991

SUBMISSION ON PLAN CHANGE 1F – OPERATIVE KĀPITI COAST DISTRICT PLAN 2021

TO: Kāpiti Coast District Council

SUBMISSION ON: Plan Change 1F to the Operative Kāpiti Coast District Plan 2021

NAME: Penny Nelson
Director-General of Conservation / Tumuaki-Ahurei

ADDRESS: Address for service:
RMA Shared Services
Department of Conservation
Private Bag 3072
Hamilton 3240
Attn: Ashiley Sycamore
Email: asycamore@doc.govt.nz

**STATEMENT OF SUBMISSION BY THE DIRECTOR-GENERAL OF
CONSERVATION / TUMUAKI-AHUREI**

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991 (RMA), I, Angus Hulme-Moir, Operations Manager, Wellington, acting upon delegation from the Director-General of the Department of Conservation, make the following submission in respect of the Proposed Plan Change 1F to the Kāpiti Coast District Plan 2021.

1. This is a submission on Proposed Plan Change 1F to the Kāpiti Coast District Plan 2021.
2. The specific provisions of Proposed Plan Change 1F that my submission relates to are set out in Attachment 1 of this submission. The submission in support is to ensure that Proposed Plan Change 1F is retained as notified and thereby:
 - a. Recognises and provides for the matters of national importance listed in section 6 of the Act (specifically section 6(c) which provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna) and has particular regard to the other matters in section 7 of the Act.
 - b. Promotes the sustainable management of natural and physical resources.
3. I seek the following decision from the Council:
 - 3.1 That the particular provisions of Proposed Plan Change 1F that I support, as identified in Attachment 1, are retained.
 - 3.2 That the amendments and deletions to Proposed Plan Change 1F sought in Attachment 1 are made.
4. I could not gain an advantage in trade competition through this submission.

5. I do not wish to be heard in support of my submission. If others make a similar submission, I will not consider presenting a joint case with them at hearing.



Angus Hulme-Moir
Operations Manager – Wellington
Department of Conservation
Te Papa Atawhai

Pursuant to delegated authority
On behalf of
Penny Nelson
Director-General of Conservation
Tumuaki-Ahurei

Date: 10 August 2022

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

ATTACHMENT 1:

**PROPOSED PLAN CHANGE 1F – OPERATIVE KĀPITI COAST DISTRICT PLAN
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

The specific provisions that my submission relates to are set out in Attachment 1. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Plan Change 1F and the Operative Kāpiti Coast District Plan 2021 is shown in *Italics*. The wording of decisions sought shows new text as underlined and original text to be deleted as ~~strikethrough~~.

Unless specified in each submission point my reasons for supporting are that the policies are consistent with the purposes and principles of the Resource Management Act 1991 (RMA).

PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
ECO-R6	<p>The Director-General generally supports this plan provision, however, requests an amendment to ECO-R6 Standard 1.1(ii) to further strengthen this provision to ensure the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. The Department of Conservation’s technical expert considers that dead and dying trees are a natural and essential component of indigenous forests and shrublands. Dead trees provide other benefits to an area of indigenous vegetation, or habitat. Older trees have epiphytes or parasites, and provide habitats for many indigenous fauna including insects, lizards, and birds. Dead wood is a food source and source of nutrients for the habitat. Light gaps caused by dead trees are a natural phenomenon. Dead wood, either standing or fallen, is a natural and essential component of many forest and shrub ecosystems. The Director-General therefore does not support the risk to surrounding protected vegetation as a reason for removing a dead or diseased tree and it is requested that this aspect of the standard is deleted.</p> <p>The amended standard is otherwise supported to ensure the rule does not result in significant adverse effects on indigenous biodiversity, and to ensure proposals that would result in significant adverse effects on indigenous biodiversity are captured as a restricted discretionary activity with the ability to impose conditions or decline the application when appropriate.</p>	<p>Suggested wording for ECO-R6 Standard 1.1(ii):</p> <p><i>the tree(s) presents a demonstrable imminent risk of serious harm to people or property a building(s) or risks significantly damaging surrounding protected vegetation; and</i></p> <p>Any other amendments that may be necessary or appropriate to address my concerns.</p>
ECO-Table 1	The amendment to ECO-Table 1 is supported to ensure the smaller coastal species of Kānuka is protected under the general indigenous vegetation protection rules and standards.	Retain as notified.