



DOCDM-6739372

6 August 2021

Central Hawkes Bay District Council  
PO Box 127  
28-32 Ruataniwha St  
Waipawa 4240

Tēnā koe Sir or Madam

**Proposed District Plan Review of Central Hawkes Bay District Council**

Please find enclosed the submission by the Director-General of Conservation in respect of the Proposed District Plan. The submission identifies the Director-General's position.

Please contact Tom Christie in the first instance if you wish to discuss any of the matters raised in this submission at [tchristie@doc.govt.nz](mailto:tchristie@doc.govt.nz) or on +64 273419514.

Nāku noa, nā

Moana Smith-Dunlop  
Operations Manager  
Pou Matarautaki Kāhui Matarautaki  
Hawkes Bay

**Department of Conservation *Te Papa Atawhai***

Hamilton Shared Services

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***Submission on Proposed District Plan Review of Central Hawkes Bay District Council***

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***Resource Management Act 1991***

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**TO:** Central Hawkes Bay District Council

**NAME:** Lou Sanson  
Director-General of Conservation

**ADDRESS:** Address for service:  
RMA Shared Services  
Department of Conservation  
Private Bag 3072  
Hamilton 3240

**STATEMENT OF SUBMISSION BY THE DIRECTOR-GENERAL OF THE  
DEPARTMENT OF CONSERVATION**

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991 (RMA), I, Moana Smith-Dunlop, Operations Manager, Hawkes Bay, acting upon delegation from the Director-General of the Department of Conservation, make the following submission in respect of the Proposed District Plan Review within Central Hawkes Bay District Council

1. This is a submission on the Proposed District Plan for Central Hawkes Bay District Council.
2. I could not gain an advantage in trade competition through this Submission.
3. The specific provisions of the Proposed Plan that my submission relates to are set out in Attachments 1 to this submission. The decisions sought in this submission are required to ensure that the Proposed Plan:
  - a. Gives effect to the New Zealand Coastal Policy Statement
  - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and to has particular regard to the other matters in section 7 of the Act.
  - c. Promotes the sustainable management of natural and physical resources.
  - d. The changes sought are necessary, appropriate and sound resource management practice.

**Director-General's Interest in the Proposed Plan Review**

4. The Director-General is the administrative head of the Department of Conservation. He has all powers as are reasonably necessary and expedient to enable the Department to perform its functions set out in s 6 of the Conservation Act 1987. Under s 6, the Department's functions include to manage public conservation land and to advocate for the conservation of natural and historic resources generally.

**I seek the following decision from the Council:**

5. That the particular provisions of Proposed Plan that I support, as identified in Attachment 1, are retained.
6. That the amendments, additions and deletions to Proposed Plan Change [insert number/reference] sought in Attachments 1 are made.
7. Further or alternative relief to like effect.
8. I wish to be heard in support of my submission and if others make a similar submission, I will consider presenting a joint case with them at the hearing.



Moana Smith-Dunlop  
Operations Manager  
Hawkes Bay  
Pursuant to delegated authority

Date: 6 August 2021

**Address for service:**

tchristie@doc.govt.nz  
RMA Shared Services  
Department of Conservation  
PO Box 9003, Greerton West,  
Tauranga 3142  
Attn: Tom Christie, **RMA Planner**  
0273419514

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 – Submission Table on Proposed Plan Change 65 Outstanding Natural Landscapes and Features to the Manawatu District Plan

The following table sets out further details of the Director-General’s submission (with reasons) and the decisions sought with respect to Proposed Plan Review for Central Hawkes Bay District Council.

PLAN PROVISION	POSITION AND REASON		RELIEF SOUGHT
	SUPPORT / OPOUSE / AMEND	REASONS:	
<b>Part 1 – General Provisions</b>			
National Policy Statements	Amend	It is appropriate that all national policy statements be reviewed and given effect to within the Proposed District Plan. (s 73(3))	National Policy Statements be given effect to within the PDP.
<b>Part 2 – District Wide Matters</b>			
TW-I1 - TW-I6	Support	Support the recognition of issues facing tangata whenua.	Retain this section. Ensure ‘Issues’ is appropriately consulted on, recognised as not always being complete and a living document as circumstances change.
TW-O1 - TW-O4	Support	Support the recognition of the role of Māori in the protection and management of the environment as provided for under sections 6(e), 6(g) and 7(a).	Retain this section.
TW-P1 - TW-P9	Support	Support the acknowledgement of Iwi management plans as an environmental protection resource. Policies recognise the important of protecting traditional practices of mahinga kai and wāhi tapu.	Retain this section.
NU-P2 NU-P3 NU-P4	Support	Policies appropriate reflect policy 8 of NPS-ET	Retain these policies.

PLAN PROVISION	POSITION AND REASON		RELIEF SOUGHT
NU-R3 NU-R4	Oppose in Part	Construction of new network utilities should not be a permitted activity within Outstanding Natural Features and Landscapes. Section 6(b).	Include permitted standard to specify the construction of new network utilities where outside of any ONFL, SNA, SASM, HNCA or SAF. Where within one of the above overlay's activity should be restricted discretionary with appropriate matters of discretion.
NU-S1 NU-S3	Oppose in Part	Reduced footprint and heights of networks utilities are appropriate within amenity and natural area overlays however should not be allowed for as a permitted activity. SNA, SASM, HNCA and SAF overlays should be included within standard.	Suggest reduced footprint and height be RD standards for network utilities within amenity and natural area overlays. Activities beyond these to be discretionary.
RE-O1	Support	Support the policies and regard had to s 7(b) and s 7(ba).	Retain this objective.
RE-O2	Oppose	RE-O2 does not reflect the NPS-REG as it doesn't refer to effects being no more than minor	Amend this objective to align with the NPS-REG
RE-P1 - RE-P6	Support	Support the policies and regard had to s 7(b) and s 7(ba).	Retain these policies.
RE-R4	Support	Support the rule.	Retain this rule.
NH-O1 NH-O2 NH-O3	Support	Support these objectives as appropriate. Sections 6(h), s7(i) and Objective 5 of the NZCPS.	Retain these objectives.
NH-P1 - NH-P12	Support	Support these objectives as appropriate. Sections 6(h), s7(i) and Objective 5 of the NZCPS.	Retain these policies.
ECO-O1 ECO-O2	Support	Support these objectives as appropriate. Section 6(c), Policy 11 and 15 of the NZCPS and protection of natural wetlands under the NPS-FM.	Retain these objectives.

PLAN PROVISION	POSITION AND REASON		RELIEF SOUGHT
ECO-P1 - ECO-P9	Support	Support these objectives as appropriate. Section 6(c), Policy 11 and 15 of the NZCPS and protection of natural wetlands under the NPSFM.	Retain these policies.
ECO-R3	Oppose	It is unclear whether Rule ECO-R3 is meant to only apply within SNAs or also for significant indigenous vegetation and significant habitat of indigenous fauna outside of SNAs.  Clearance is required to be qualified by justified reasons listed in point b.	Clarify if ECO-R3 is meant to only apply within SNA areas or also for significant indigenous vegetation and significant habitat of indigenous fauna outside of SNAs.  OR needs to be replaced with AND, to ensure sound reasoning for clearances.
ECO-R4	Oppose	Plan allows for the clearance of one hectare per year as a permitted activity, which, given the largely exotic grassland character of the District, is considered to be a large proportion of the remaining indigenous vegetation of the district.	Reduce limit of clearance.
ECO-AM1	Support	Broadly agree that ECO-AM1 reflects best practice.	Support these assessment matters.
ECO-APP1	Amend	Criterion 5 requires further consideration. Many of the most threatened naturally uncommon ecosystems have naturally sparse (or no) vegetation. However, because this explanation is limited to vegetation or habitat, they are not able to be assessed.	Consider broader definition to include naturally uncommon ecosystems that do not provide for indigenous vegetation or habitat.
NFL-O1 NFL-O2	Support	Support these objectives as appropriate. Section 6(a), (b) and (c). Policy 15 of the NZCPS	Retain these objectives.
NFL-P1 - NFL-P8	Support	Support these objectives as appropriate. Section 6(a), (b) and (c). Policy 15 of the NZCPS	Retain these policies.

PLAN PROVISION	POSITION AND REASON		RELIEF SOUGHT
NFL-R1	Oppose	25 square metre building with a height of three metres may potentially have a significant impact upon an ONFL. Activity status should be restricted discretionary.	Amend activity status should be restricted discretionary.
PA-O1	Support	Support this objective as appropriate. Section 6(a) and (d). NZCPS policies 18, 19 and 20.	Retain these objectives.
PA-P1 PA-P3 PA-P4	Support	Support these objectives as appropriate. Section 6(a) and (d). NZCPS policies 18, 19 and 20.	Retain these policies.
CE-O1 CE-O2 CE-O3	Support	Support these objectives as appropriate. Section 6(a) and the NZCPS.	Retain these objectives.
CE-P1 - CE-P8	Support	Support these policies as appropriate. Section 6(a) and the NZCPS.	Retain these policies.