

Proposed Plan Change 1F – Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List

Notes:

1. Deletion is shown as strike-through (~~example~~)
2. Addition is shown as underlined (example)

Note:

In accordance with section 86B(3)(b) and (c) the following proposed changes to the Kapiti Coast District Plan have had immediate legal effect on and from the date on which this plan change was publicly notified under clause 5 of Schedule 1 of the Resource Management Act 1991. This note is for explanatory purposes and does not form part of the plan change.

Amend rule ECO-R6 as follows:

ECO-R6	<p>The any <i>modification of indigenous vegetation</i>, that is:</p> <ol style="list-style-type: none">1. located within an <i>ecological site</i> listed in Schedule 1 excluding trees on an urban environment allotment <u>that are not listed in Schedule 2</u>; or2. a <i>key indigenous tree species</i> listed in ECO-Table 1 and exceeds either of the maximum size criteria diameter or <i>height</i> (excluding trees planted by humans; and excluding trees on an urban environment allotment that are not listed in Schedule 2); or3. a <i>key indigenous tree</i> listed in Schedule 2; or4. a <i>rare and threatened vegetation species</i> listed in Schedule 3; or5. in or within 20 metres of a <i>waterbody</i> or the coastal marine area where it is not within the <i>urban environment</i> (excluding planted vegetation); <p>is a <i>controlled activity</i> within the following <i>zones</i> and precincts:</p> <ul style="list-style-type: none">• <i>General Residential Zone</i>• <i>High Density Residential Zone</i>• <i>Ngārara Development Area</i>• <i>Waikanae North Development Area</i>• <i>Airport Zone</i>• <i>Town Centre Zone</i>• <i>Metropolitan Centre Zone</i>• <i>Hospital Zone</i>• <i>General Industrial Zone</i>• <i>Local Centre Zone</i>• <i>Mixed Use Zone</i>• <i>Rural Lifestyle Zone</i>• <i>Rural Eco-Hamlet Precinct</i>• <i>Future Urban Zone</i>• <i>Open Space Zone</i>
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Controlled
Activity

Standards

1. The *modification of indigenous vegetation* must be limited to:
 - a. up to a maximum of two indigenous vegetation trees within a five year period on an allotment, and
 - b. *modification of ~~vegetation~~ trees that is are damaged, dead or dying; or has sustained storm damage; or is are fatally diseased such that:*
 - i. ~~the indigenous vegetation is no longer independently viable or the tree(s) presents a demonstrable imminent risk of serious harm to people or property building(s) or risks significantly damaging surrounding protected vegetation;~~
 - ii. the demonstrable imminent risk of serious harm to people or buildings cannot be addressed via trimming under rule ECO-R3; and
 - iii. an arborist who has attained the New Zealand Qualifications Authority ~~National Certificate New Zealand Diploma in Arboriculture Level 4–6~~ or equivalent qualification has certified in writing that Conditions i. and ii. above ~~is~~ are met; or
 - c. *modification of planted indigenous vegetation where the applicant can demonstrate that it was not legally required to be planted for ecological restoration or enhancement purposes or as a *biodiversity offset*.*

Matters of Control

1. The necessity, extent and method of the proposed - ~~vegetation removal~~ - modification of indigenous trees to address the imminent demonstrated risk.
2. The species, size, location, and timing of planting of any plant species-replacement indigenous vegetation to ~~compensate-remedy~~ for the loss of indigenous tree(s)-vegetation.
3. Any remedial work necessary to restore the site after the *modification* activity is complete.
4. Public safety.
5. Measures to avoid, remedy or mitigate *effects* on *tāngata whenua* values.
6. Methods and activities to ensure the maintenance of indigenous biodiversity.
7. Methods and activities to ensure positive ecological contributions of the modified trees on the application property.

Note 1: For *notable trees* listed in Schedule 8 see TREE-R2, TREE- R3, and TREE-R4.

Note 2: For the avoidance of doubt, the Council has the discretion to seek confirmation that an application qualifies for consideration under this rule, including via obtaining an independent review by a suitably qualified and experienced person of the arborist findings and certification provided by the applicant in accordance with standard 1.b.i and ii.

Criteria for notification

The written approval of persons will not be required and applications under this rule will not be served on any person or notified.

Amend ECO-Table 1 as follows:

Common Name	Species	Māori Name	Dimensions That Relate to Rules	
			Diameter (circumference in cm)	Height (m)
White tea tree	Kunzea robusta or Kunzea amathicola	Kānuka	15.0 (47)	3
<u>Coastal kānuka</u>	<u>Kunzea amathicola</u>	<u>Rawiritoa, kānuka</u>	<u>5.0 (15)</u>	<u>1</u>
<u>Kānuka</u>	<u>Kunzea robusta</u>	<u>Rawirinui, kānuka</u>	<u>15.0 (47)</u>	<u>3</u>