

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of the Proposed Porirua District Plan –  
Hearing Stream 2.

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**Addendum and Summary of Statement of Evidence of Joao Paulo Silva on Behalf of The Director-  
General of Conservation**

**27 October 2021**

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## 1. INTRODUCTION

- 1.1 My name is Joao Paulo Silva. My evidence in chief sets out my qualifications and experience.
- 1.2 This is an addendum and a summary of the evidence in chief I prepared for Hearing Stream 2 of the proposed Porirua District Plan (PPDP).

### **Addendum - Lack of provisions for indigenous vegetation clearance outside overlay areas – Section 7 of my Evidence (at para 7.34)**

- 1.1 As noted in my evidence I have contacted Forest & Bird in order to rationalize an agreement regarding a new proposed rule for vegetation clearance beyond identified SNAs. After comparing the rules, we agreed that amendments would improve the clarity and efficiency of the new rule. The parties remain of different views regarding clearance limits. Forest & Bird is seeking the limits set out in its original submission and I am seeking the limit previously set in my evidence (highlighted in yellow below).
- 1.2 As a planner I would not oppose the more stringent limits set out in Forest and Bird's rule. However, having regard to the range and spatial extent of overlay provisions that apply in the coastal environment, I consider the 250m<sup>2</sup> limit proposed in the rule in my planning evidence will adequately manage risk to indigenous biodiversity outside those overlay areas in the coastal environment.

Amended new rule:

### **Indigenous vegetation removal outside of the Significant Natural Area Overlay - All Zones**

#### **1. Activity status: Permitted**

Where:

- a. the indigenous vegetation removal is for the following purposes:
- i. to address an imminent threat to people or property represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with;
  - ii. for the operation or maintenance of lawfully established buildings, infrastructure, walking, cycling or private vehicle access or fences or existing farming activities;
  - iii. emergency response by Fire and Emergency New Zealand;
  - iv. cultural activities;

or

- b. for activities not identified in a., the extent of indigenous vegetation removal per site does not exceed an area of 250m<sup>2</sup>, per site in any 10 year period.

#### **2. Activity status: Restricted discretionary**

Where

- a. Compliance is not achieved with ECO-RX-1.a or ECO-RX-1.b.

Matters of discretion are restricted to:

1. The location and purpose of the proposed disturbance;
2. Potential adverse effects on indigenous biodiversity, including fragmentation and loss of biodiversity;
3. The extent to which adverse effects are avoided, remedied or mitigated on indigenous biodiversity values which meet the criteria for significance by applying Policy 23 of the RPS;
4. Adverse effects on receiving environments, including wetlands and the coastal environment; and

**Section 88 information requirements for applications:**

1. Applications must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:
  - a. Identifying the biodiversity values and potential impacts from the proposal.

**Summary of remaining points**

1.3 My evidence also covers the matters listed below. The matters will be presented at the hearing.

- Amendment to the definition of ‘significant natural area’ (at para 7.42);
- Introduction of objectives to Ecosystems and Indigenous Biodiversity (at para 7.55);
- Provisions relating to setbacks from wetlands (at para 7.2);
- Amendment sought for ECO-P3 – amending “including” to “limited to” (at para 7.28);
- Exclusion of “from inappropriate use and development” from ECO-O1 (at para 7.47);
- Activity status amendment for ECO-R9 - non-complying to discretionary (at para 7.50);
- Amendments to rule NFL-R2 and standard NFL-S2 (at para 7.61).
- Rules for vegetation removal - ECO-R1, ECO-R2 and ECO-R3 (at para 7.24);
- Amendments to Policy ECO-P4 (at para 7.31);
- Amendments to Policy ECO-P12 giving effect to the NZCPS (at para 7.46); and
- Amendments for vegetation clearance for new and upgrading walkways (at para 7.43);

*\*The points above do not follow the same structure as set in my evidence; however, this structure will provide better flow when presenting. References in brackets refer to evidence.*

Dated 27 October 2021



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Joao Paulo Silva