

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of the Proposed Porirua District Plan –  
Hearing Stream 3.

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**Planning Statement of Graeme Silver on Behalf of The Director-General of  
Conservation**

**17 November 2021**

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**Department of Conservation**

P O Box 10 420, WELLINGTON 6011

Counsel acting: K Anton / R Broad

Tel: 027 427 5900 / 027 298 3268

Email: [kanton@doc.govt.nz](mailto:kanton@doc.govt.nz) / [rbroad@doc.govt.nz](mailto:rbroad@doc.govt.nz)

1. My name is Graeme Douglas Silver. I am a planner at the Department of Conservation.
2. I am employed by the Department of Conservation in Hamilton as a Senior RMA Planner and Team Leader. I hold a Master of Science degree in Geography from the University of Auckland.
3. I have worked for the Department since May 2017 and became Team leader in July 2020. Prior to this I have previously worked for the Waikato Regional Council for 15 years and the Gisborne District Council for two years. I held a variety of roles including Senior Policy Advisor and Environmental Planner, Coastal. Before becoming a planner I was an environmental researcher and lecturer.
4. I have worked on a wide range of planning topics including water quality classifications, marine farming, moorings and marina management, coastal hazards, identification of significant natural areas, and implementation of the New Zealand Coastal Policy Statement.
5. I was a technical officer on the Hauraki Gulf Forum, represented councils on the Aquaculture Implementation Team from 2005 to 2008 and the Aquaculture Stakeholder Reference Group working on the National Environmental Standard from 2015 to 2018. I was a member of Local Government New Zealand's Coastal Special Interest Group, from 2001 to 2017 and Convener of the Group from 2015 to 2017.
6. I have been asked to table a statement to provide further information on the Director-General's submission. The Department has opted not to attend Hearing Stream 3 for the Porirua District Plan (scheduled to commence 3 December 2021) and is unlikely to attend remaining hearing streams.
7. The Director-General supported the Royal Forest and Bird Society submission to *'include "effects on indigenous biodiversity" as a standard matter of discretion in all restricted discretionary rules and as a matter for control in all controlled activity rules'*. [DOC FS39.1, Forest and Bird submission 225.42]
8. Since lodging the further submission, further planning analysis has identified which controlled and restricted discretionary rules throughout the plan should have 'indigenous biodiversity' added, and which should not. This is shown in the attached table.

9. The table is relevant for the CE Chapter as it demonstrates all controlled/RDA rules in this chapter have the potential to impact on indigenous biodiversity that must be protected under policy 11 of the New Zealand Coastal Policy Statement.
10. The table is also relevant to future hearing streams, and I am tabling it in order to assist the Council for those future hearing streams as well as in order to assist with Hearing Stream 3.



Graeme Silver  
Team Leader, RMA

### Analysis of proposed Porirua District Plan controlled and restricted discretionary rules

| Rule #  | Activity Status | Rule subject  | Should include indigenous biodiversity | Comment  |
|---|-----------------|---|--|--|
| <b>INF Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below   | C/RD            | All except below  | <b>YES</b>                             | All have the potential to impact on Indigenous Biodiversity (IB) (e.g vegetation clearance, impact on habitat) |
| INF-R13.2   | RD              | Infrastructure located within existing buildings  | NO                                     | Won't impact on IB as inside buildings   |
| INF-R23.2   | RD              | Connections to roads for vehicle access to sites  | NO                                     | Effects on IB minor and similar to the equivalent permitted activity rule                                      |
| INF-R24.2   | RD              | Signs associated with the construction, operation, maintenance and repair, or upgrading of infrastructure | NO                                     | Unlikely to impact on IB   |
| <b>REG Chapter:</b> All Controlled and Restricted Discretionary rules                             | C/RD            | All   | <b>YES</b>                             | All have the potential to impact on IB (e.g vegetation clearance, impact on habitat)                           |
| <b>THWT Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below  | C/RD            | All except below  | NO                                     | Unlikely to impact on IB and magnitude of effects similar to the equivalent permitted activities               |
| THWT-R2.2   | RD              | Increases in the impervious surface area of a site  | <b>YES</b>                             | Has the potential to impact on IB where hydraulic neutrality has not been achieved.                            |
| <b>TR Chapter:</b> All Controlled and Restricted Discretionary rules<br>All Controlled/Restricted | C/RD            | All   | NO                                     | Unlikely to impact on IB and magnitude of effects similar to the equivalent permitted activities               |
| <b>CL Chapter:</b> no C/RD rules  |                 |   | n/a                                    |  |
| <b>HAZ Chapter:</b> no C/RD rules   |                 |   | n/a                                    |  |
| <b>NH Chapter:</b> All Controlled and Restricted Discretionary rules                              | C/RD            | All   | <b>YES</b>                             | All have the potential to impact on IB (e.g vegetation clearance, impact on habitat)                           |
| <b>HH Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below    | C/RD            | All except below  | NO                                     | Unlikely to impact on IB   |

| Rule #  | Activity Status | Rule subject   | Should include indigenous biodiversity | Comment   |
|---|-----------------|--|--|---|
| HH-R4.2   | RD              | Earthworks on heritage items and heritage settings in SCHED2 - Historic Heritage Items (Group A) and SCHED3 - Historic Heritage Items (Group B), and historic heritage sites in SCHED4 - Historic Heritage Sites | <b>YES</b>                             | Has the potential to impact on IB                             |
| <b>TREE Chapter:</b> All Controlled and Restricted Discretionary rules                          | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB                             |
| SASM-R3.2   | RD              | Earthworks on a site or area listed in SCHED6 - Sites and Areas of Significance to Māori   | <b>YES</b>                             | Has the potential to impact on IB                             |
| SASM-R4.1   | RD              | Any new building or structure, or extension of the footprint of an existing building or structure on a site or area listed in SCHED6 - Sites and Areas of Significance to Māori                                  | NO                                     | Unlikely to impact on IB                                      |
| <b>ECO Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All  | n/a                                    | IB already included as matter of discretion                   |
| <b>NATC Chapter:</b> All Controlled and Restricted Discretionary rules                          | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB                             |
| <b>NFL Chapter:</b> All Controlled and Restricted Discretionary rules                           | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB                             |
| <b>PA Chapter:</b> no C/RD rules  |                 |  |  |   |
| <b>SUB Chapter:</b> All Controlled and Restricted Discretionary rules                           | C/RD            | All  | <b>YES</b>                             | Potential to protect IB through subdivision process           |
| <b>AR Chapter:</b> All Controlled and Restricted Discretionary rules                            | C/RD            | All  | NO                                     | Unlikely to impact on IB                                      |
| <b>CE Chapter:</b> All Controlled and Restricted Discretionary rules                            | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB and conflict with the NZCPS |

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|---|-----------------|--|--|--|
| <b>EW Chapter:</b> All Controlled and Restricted Discretionary rules    | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB  |
| LIGHT-R1.2  | RD              | Outdoor artificial lighting                              | <b>YES</b>                             | Has the potential to impact on IB (e.g attracting birds and affecting bat behaviour)   |
| <b>NOISE Chapter:</b> All Controlled and Restricted Discretionary rules | RD              | All  | NO                                     | Unlikely to impact on IB   |
| <b>PK Chapter:</b> no C/RD rules  |                 |  | n/a                                    |  |
| <b>SIGN Chapter:</b> All Controlled and Restricted Discretionary rules  | C/RD            | All  | NO                                     | Unlikely to impact on IB. Where in an overlay, matters of discretion include: <i>“Does not compromise the identified values, characteristics and features that are described for the relevant Overlay; Minimises any adverse effect on the values, characteristics and features that are described for the relevant Overlay”</i> |
| <b>TEMP Chapter:</b> All Controlled and Restricted Discretionary rules  | C/RD            | All  | <b>YES</b>                             | Has the potential to impact on IB  |
| <b>GRZ Chapter:</b> All Controlled and Restricted Discretionary rules   | C/RD            | All  | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.  |
| <b>MRZ Chapter:</b> All Controlled and Restricted Discretionary rules   | C/RD            | All  | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.  |
| GRUZ – R2.2   | RD              | Buildings and structures                                 | <b>YES</b>                             | Higher potential for remnant IB values to be present in Rural Zone.  |
| GRUZ – R4.2   | RD              | Fences and stand alone walls                             | NO                                     | Unlikely to impact on IB.  |
| GRUZ-R10.2  | RD              | Home business  | NO                                     | Unlikely to impact on IB   |
| GRUZ-R14.2  | RD              | Activities within the Gas Transmission Pipeline Corridor | NO                                     | Unlikely to impact on IB   |
| GRUZ-R15.2  | RD              | Papakainga   | <b>YES</b>                             | Potential to impact on IB depending on location  |
| GRUZ-R16.1  | RD              | Building near Gas Transmission Pipeline Corridor         | NO                                     | Unlikely to impact on IB   |

| Rule #  | Activity Status | Rule subject                        | Should include indigenous biodiversity | Comment   |
|---|-----------------|-------------------------------------|--|---|
| GRUZ-R17  | RD              | Intensive indoor primary production | NO                                     | Unlikely to impact on IB  |
| GRUZ-R18  | RD              | Rural industry                      | <b>YES</b>                             | Potential to impact on IB, not specifically included in existing matters of discretion  |
| GRUZ-R19  | RD              | Quarrying                           | <b>YES</b>                             | Potential to impact on IB, not specifically included in existing matters of discretion  |
| GRUZ-R20  | RD              | Mining activity                     | <b>YES</b>                             | Potential to impact on IB, not specifically included in existing matters of discretion  |
| GRUZ-R21  | RD              | Emergency service facilities        | NO                                     | Unlikely to impact on IB  |
| <b>RLZ Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All except below                    | NO                                     | Unlikely to impact on IB  |
| RLZ-R1  | RD              | Buildings and structures            | <b>YES</b>                             | Possible that in Rural Lifestyle Zone there is IB value.                                |
| RLZ -R15.2  | RD              | Papakainga                          | <b>YES</b>                             | Potential to impact on IB depending on location   |
| <b>SET Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All except below                    | NO                                     | Unlikely to impact on IB  |
| SETZ-R1.2   | RD              | Buildings and structures            | <b>YES</b>                             | Potential to impact on IB, particularly given proximity to Pauatahanui Wildlife Refuge. |
| <b>NCZ, LCZ, LFRZ, MUZ, CCZ Chapters:</b> All Controlled and Restricted Discretionary rules     | C/RD            | All                                 | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>GIZ Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All                                 | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>OSZ Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All except below                    | NO                                     | Unlikely to impact on IB  |

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| OSZ-R1.2  | RD              | Buildings and structures | <b>YES</b>                             | Potential to impact on IB, particularly given proximity to Pauatahanui Wildlife Refuge. |
| <b>SARZ Chapter:</b> All Controlled and Restricted Discretionary rules                          | C/RD            | All                      | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>SPZ (BRANZ) Chapter:</b> All Controlled and Restricted Discretionary rules                   | C/RD            | All                      | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>FUZ Chapter:</b> All Controlled and Restricted Discretionary rules                           | C/RD            | All                      | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>HOSZ Chapter:</b> All Controlled and Restricted Discretionary rules                          | C/RD            | All                      | NO                                     | Unlikely to impact on IB. Should be considered at the time of zoning.                   |
| <b>MPZ Chapter:</b> All Controlled and Restricted Discretionary rules except those listed below | C/RD            | All except below         | NO                                     | Unlikely to impact on IB  |
| MPZ-R1.2  | RD              | Buildings and structures | <b>YES</b>                             | Potential to impact on IB.  |
| MPZ-R18.2   | RD              | Buildings and structures | <b>YES</b>                             | Potential to impact on IB.  |