

**Before the Hearings Panel
At Porirua City Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Porirua District Plan

Between **Various**

Submitters

And **Porirua City Council**

Respondent

Council reply - Torrey McDonnell – Hearing Stream 7

Date: 28 April 2023

INTRODUCTION:

- 1 My full name is Torrey James McDonnell. I am employed as a Principal Policy Planner for Porirua City Council.
- 2 I have read the evidence and tabled statements provided by submitters relevant to the:
 - Section 42A Report – Overarching;
 - Addendum To Section 42A Report – Overarching (23 Feb 2023); and
 - Section 42A Report – Plan Change 19 – Plimmerton Farm Intensification.
- 3 I have prepared this Council reply on behalf of the Porirua City Council (Council) in respect of matters raised through Hearing Stream 7.
- 4 Specifically, this statement of evidence relates to the matters in the above listed Section 42A Reports.
- 5 I am authorised to provide this evidence on behalf of the Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 6 The relevant appendices of the above Section 42A reports set out my qualifications and experience.
- 7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 8 This reply follows Hearing Stream 7 held between Monday 13 March and Wednesday 22 March 2023.
- 9 Minute 60 from the Panel dated 26 March 2023 allows for Council to submit a written reply for Hearing Stream 7 by 28 April 2023. This minute also put a range of questions to Council Officers inviting a response.

- 10 The matters addressed in this reply include:
 - Questions put to me by the Panel through Minute 60; and
 - Other relevant matters raised by submitters.
- 11 If I have not addressed a matter in this reply that was raised by a submitter throughout the hearings process, I have no further reply to add to what I have set out in the Section 42A Report or through evidence given at the Hearing.
- 12 Appendix 1 of this reply contains a list of all submitters and further submitters on Variation 1 and Plan Change 19.
- 13 Appendix 2 contains materials provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is all available on the Proposed District Plan (PDP) hearings web portal at <https://pdportal.porirua.govt.nz>.
- 14 Appendix 3 has a table that includes all questions asked by the Panel through Minute 60 and the relevant documents that provide responses from officers. Some of these questions have already been addressed through previous memos and supplementary evidence.
- 15 For ease of reference, I have shown any changes proposed through this right of reply as follows:

s42A Report	deletions / <u>insertions</u>
Right of Reply version	deletions / <u>insertions</u>

Procedural matters

- 16 In my opening presentation to the Panel, I miscounted the number of submissions received. I can confirm that Council received a total of 128 submissions and further submissions as listed in Appendix 1.
- 17 In the Addendum to Section 42A Report – Overarching (23 Feb 2023), the single submission point from Whitby Lakeside Villas Body Corp was referenced as submission 115.1. This should in fact be submission point 128.1, so as to not have the same number as a submission point from another submitter (submitter 115 is D Suzi Grindell).

Questions from the Panel through Minute 60

- 18 The Panel has asked Officers to address various matters through Minute 60 dated 26 March 2023. The following questions are relevant to submissions that were addressed in the s42A reports I authored: 4, 6, 7, 11, 42, and 59.
- 19 Questions 4, 6 and 7 are addressed in a memorandum from Council’s legal counsel¹ dated 22 March 2023:

Question 4: Please supply a list of ‘out of scope’ recommendations in the s42A reports, with paragraph numbers and subject matter. [see paragraph 21]

Question 6: Please provide a final view on the scope to remove overlays currently shown over the Plimmerton Farm land. [see paragraphs 22 to 25]

Question 7: Please advise whether Variation 1 rezones any land not shown as zoned in the online maps, and if not, the implications of that for the scope for Warburton submission OS 64.6. [see paragraphs 26 to 34]

- 20 I have not changed my opinion in relation to these matters from that which is outlined in my s42A reports².

¹ See [Response To Interim Questions From The Hearing Panel - Counsel On Behalf Of PCC \(22 Mar 2023\)](#)

² See section 7.16 of the overarching s42A Report for the matter relevant to Question 6, and section 7.17 of the same report for the matter relevant to Question 7. Note that Question 4 isn’t specific to any particular report, but rather a stocktake across part A and B of the s42A report.

21 Question 42 relates to a request from the Panel for A3 planning maps of the Plimmerton Farm Zone. These were printed out and provided to the Panel on 20 March 2023. They are also available in digital format on the Hearings Portal³.

22 Questions 11 and 59 are addressed below.

Question 11 from the Panel:

How many building consents have been lodged since notification of Variation 1 taking advantage of the additional capacity provided by (a) HDRS; (b) MDRZ?

23 I have conferred with my colleagues in Council's resource and building consents teams to answer this question.

24 In regard to Question 11(a), no consents could have taken advantage of the rules and standards enabling High Density development because, unlike the Medium Density Residential Standards (MDRS) in the Medium Density Residential Zone (MRZ) and High Density Residential Zone (HRZ), the rules and standards enabling higher density do not have legal effect yet.

25 In regard to Question 11(b), the short answer is that it is difficult to say exactly how many building consents have "taken advantage" of the MDRS.

26 Between September 2022 and March 2023, the total number of building consents for new buildings was 76. Of these, 70 were for standalone dwellings and six were for multi-unit dwellings.

27 Is it difficult to ascertain how many of these multi-unit developments "took advantage" of the additional capacity provided by the MDRS. This would require a consent-by-consent analysis comparing bulk and location standards in the Suburban Zone in the Operative District Plan, and the more lenient standards set by the MDRS⁴.

28 However, I note that six of the seven multi-unit developments that have been lodged do not require resource consent. This gives an indication of the number of developments that may have benefited from the more lenient standards.

³ See [Response To Interim Questions From Panel - Torrey McDonnell - A3 Bora Maps \(20 Mar 2023\)](#)

⁴ Such as building height, height in relation to boundary, site coverage and setbacks.

- 29 The true market response to the MDRS coming into effect is difficult to establish for a couple of reasons.
- 30 Firstly, there are various factors impacting the building industry at present, such as labour and material shortages which has increased the cost of building a new home considerably. Like many other places in New Zealand, Porirua has seen a downturn in new build developments and alterations over the last year.
- 31 Secondly, Council's Resource Consents Team advise that prior to the introduction of the MDRS, a number of large developers already had medium-density style developments consented and under construction e.g. the Silverbrooke development in Whitby and the Kenepuru Landing Development. This indicates that the market was already shifting to this typology despite the plan settings.
- 32 It is worth noting that there have been a number of breaches of the MDRS that have triggered resource consent requirements for new dwellings including standalone dwellings. The main standard being breached has been the 20% glazing standard for street-facing facades. There are four examples of this in the Aotea Development, and a number in Eastern Porirua.

Question 59 from the Panel:

Please comment on Mr Gow's proposals for standards related to percentage of permeable vegetated surfaces, as a means to reduce stormwater runoff?

- 33 The relevant submissions from Harbour Trust & Guardians of Pāuatahanui Inlet were addressed in section 7.9 and 7.18 of the Overarching s42A Report.
- 34 The submitter seeks general relief in terms of the need to control and limit run off and its adverse effects, and these submission points are addressed in section 7.9 (e.g. OS32.1, OS32.2). The original submission did not specifically request a minimum standard for impervious surfaces, but it does seek that the landscaped area be increased to 30% of a site as "a prudent measure to minimise adverse effects from stormwater run-off" [OS32.6].
- 35 Section 7.9 of my s42A report includes the following assessment in relation to the PDP approach to this issue and jurisdictional considerations:

281. The PDP aims to maintain and enhance the well-being of Te Awarua-O-Porirua Harbour through various chapters including managing the effects of: subdivision (SUB), development (THWT), and earthworks (EW), and protecting biodiversity (ECO), natural character (NC), landscapes (NFL) and the Coastal Environment (CE). For example, the EW – Earthworks chapter includes EW-O1 which includes earthworks being undertaken in a manner that '[m]inimises erosion and sediment effects beyond the site and assists to protect receiving environments, including Te Awarua-o-Porirua Harbour'.

282. The THWT – Three Waters chapter specifically sets out requirements for new development in relation to connection to and performance of stormwater and wastewater networks. It also requires developments to be hydraulically neutral.

283. I consider that the PDP, including Variation 1, appropriately seeks to maintain and enhance Harbour health within the Council's jurisdictional responsibilities, noting GWRC is primarily responsible for the management of water quality including the discharge of contaminants such as sediment and nutrients under s30 of the RMA. I therefore disagree that the PDP should seek to avoid discharges of contaminants as sought by Harbour Trust & Guardians of Pāuatahanui Inlet and Friends of Taupo Swamp & Catchment Inc, including setting a standard for maximum impervious surface coverage on a site

36 I consider that the requirement for a minimum standard for impervious surfaces is also a proposed modification to the MDRS. These modifications can only be done by applying qualifying matters under sections 77I and 77O of the RMA, and they can only be applied where they have satisfied the requirements of sections 77J, 77L, 77P and 77R. I do not consider that the submitters have provided sufficient information to justify the use of a qualifying matter in the area to which these submissions relate, nor does the information provided to date meet the statutory tests contained in the RMA in relation to qualifying matters.

Other relevant matters raised by submitters

Greater Wellington Regional Council

37 My position has not changed in relation to the GWRC submission points I addressed in my s42A Report. I have read the expert evidence and other materials provided by the submitter on the three matters of focus for the hearing including: nature-based solutions (Pam Guest), water sensitive urban design (Stu Farrant) and natural hazards (Dr Iain Dawe). I also listened closely to the oral evidence to the Panel at the Hearing by these experts.

38 The submitter's legal submissions confirm that they continue to pursue all submission points, however I note that the submitter only presented evidence on a narrow range of matters relative to the breadth of issues raised and relief sought.

39 I do not dispute the importance of nature-based solutions and water sensitive design as methods to address adverse effects from development and subdivision as outlined by Ms Guest and Mr Farrant. I agree with Ms Guest that they provide opportunities to increase the resilience of communities and the natural environment to climate change.

40 However, I consider that the submitter has not addressed my concerns outlined in section 7.11 of the Overarching s42A in relation to the relief being sought. I still consider that the submission points relating to climate change are very broad and lack sufficient specificity. For example, in regard to OS74.37, the submitter seeks:

“Include provisions for recognising the functions of the ecosystems providing nature-based solutions to climate change and avoid adverse effects of subdivision, use and development on their functions, including before they are mapped”

41 In section 7.11, I outlined that there is no further detail provided on exactly which provisions should be amended or how, where new provisions should go, or what they should look like. It is also unclear why the submitter is seeking some matters specifically be policies, let alone which objectives they should relate to, or what consequential changes to rules and standards they are seeking.

42 Ms Guest has provided some “indicative amendments” in Appendix 1 to her statement of evidence. In addition to there not being a complete set of amendments for me to consider, Ms Guest also provides a number of policies taken from the Proposed Wellington District Plan, and considers:

Inclusion of these kinds of policies, if made through decisions on the PDP, would address some of Greater Wellington's relief sought to support nature-based solutions in the District Plan.

- 43 I consider that the indicative amendments that have been provided lack sufficient precision in their drafting to enable their meaningful implementation. It introduces new terms that are vague and not defined including “climate resilient” and “ecologically robust”. The term “nature-based solution” that is defined in Proposed Change 1 lacks the necessary specificity, certainty and clarity required for terms used in an RMA regulatory framework.
- 44 For example, in regard to OS74.37, the requirement to “avoid adverse effects” is a high regulatory bar considering the definition of “nature-based solution” applies to everything from estuaries and rivers to street trees.
- 45 However defined, I consider that nature-based solutions are a type of method to achieve an outcome, so I do not agree that phrases such as “utilises nature based solutions” are appropriate to include in an objective as sought.
- 46 The submitter has also not included any evaluation that would satisfy the requirements of s32AA for any of the indicative amendments.
- 47 In relation to water sensitive urban design, I consider that the PDP, including Variation 1, appropriately seeks to maintain and enhance Harbour health within the Council's jurisdictional responsibilities, noting GWRC is primarily responsible for the management of water quality including the discharge of contaminants such as sediment and nutrients under s30 of the RMA.
- 48 Further, much of the relief sought by the submitter [e.g. OS74.9 and OS74.10] is covered by the THWT – Three Waters Chapter to a large extent including the requirement for hydrological neutrality, as this is a resource management matter within our jurisdiction.
- 49 In relation to the submitter's relief sought with regard to natural hazards evidence, my view remains that the Natural Hazards and Coastal Environment chapters are not amended by Variation 1 and therefore I consider this relief sought is out of scope. This topic was heard in Hearing Stream 3 (where I note that the submitter supported the general approach to natural hazard management).

- 50 GWRC legal submissions focussed on the question of whether natural hazards were appropriately addressed as a qualifying matter. In my view, natural hazard risk is better addressed as an overlay rather than a qualifying matter. The approach of Variation 1 with regard to qualifying matters, district wide matters and overlays is outlined in section 7.2 of the Overview to s32 Evaluation for Variation 1 and Plan Change 19. Only where a rule or standard is proposing to amend or modify the MDRS, or the height or density of urban form requirements set out in policy 3, is it applied as a qualifying matter for the purposes of sections 77I and 77O of the RMA. Provisions in the PDP which meet these criteria are listed in Table 1 in section 7.2, including which density standard they amend.
- 51 Were the relief sought by the submitter found to be in scope by the Panel, I do not agree with what is being sought regardless.
- 52 Paragraph 28 of Dr Dawe’s statement of evidence considers that rather than a “coastal hazard zone” as sought in the original submission [OS74.76], that medium and high hazard areas should be rezoned General Residential Zone, or some other equally lower density residential zone.
- 53 I disagree. As outlined in section 7.12 of the Overarching s42A Report, I consider that managing natural hazards as an overlay is consistent with national best practice, and the National Planning Standards approach to district plan structure with regard to zoning and overlays.
- 54 I disagree with the statement in paragraph 53 of Dr Dawe’s statement of evidence: “Whilst there is an objective, policy and rule framework in place to limit this, there is an **equally enabling** framework in the zone chapters that could lead to development in these areas” [my emphasis]. The Natural and Coastal Hazard Overlays apply a non-complying activity status for hazard-sensitive and potentially-hazard-sensitive activities in high hazard areas. I do not consider this to be equally enabling with a permitted activity rule in an underlying zone. I consider that applying a residential zone would be more permissive than the PDP approach of applying a natural hazard overlay. This is because a residential zone would permit residential development in a high hazard area, which would be inconsistent with the Regional Policy Statement direction. Rather, the existing approach is more restrictive, which is consistent with the Regional Policy Statement.

55 Further, using overlays removes the need to apply split zoning to sites and therefore provides more regulatory certainty. The intersection of medium and high hazard areas in the plan often only covers a small percentage of a property, especially linear features like stream corridors and overland flow paths which often only affect a small part of a property. Zoning around these hazards would create thousands of properties with split zoning.

56 I note that there is no existing General Residential Zone in the PDP as amended by Variation 1, nor is there a Large Lot Residential Zone Chapter. Including a new zone chapter would require drafting of that chapter as well as numerous consequential amendments to the district-wide chapters.

57 In summary, I consider the submitter has not given sufficient evidence or justification including in terms of s32 to take a different approach to the management of natural hazards (and one which they have previously supported in earlier hearing streams).

Plimmerton Farm

58 Having considered the expert evidence by Mr Andrew Cumming for KM & MG Holdings, my position has not changed in relation to the submission from as outlined in 7.16 of my s42A Report for Plan Change 19.

59 I consider that these areas do have potential ecological value and that there is a consenting pathway to review the location and boundaries of the BORAs. I also consider that scope continues to be a matter in contention with regard to amending these areas in Precinct C.

Date: 28/04/2023



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Appendix 1 – List of Variation 1 and Plan Change 19 submitters

- 1 Myers Andrew
- 2 Pearce Marg
- 3 Winter Paul
- 4 Sargent Philippa
- 5 Parry Alwyn (Taffy)
- 6 Middleton Francesse
- 7 Bell Rob
- 8 Robson Vanessa
- 9 Robson Marsden Hana
- 10 Callear Leslie
- 11 Clegg Paul
- 12 Hall-Jones Rosalind
- 13 Parris Carolyn
- 14 The Church of Jesus Christ of Latter-day Saints Trust Board
- 15 MacDonald Joanna
- 16 Wellum Andrew
- 17 Subritzky Leigh
- 18 Hapu Housing Solutions Limited
- 19 Goode Tim
- 20 Ahipene Kathleen
- 21 Auld Robin
- 22 On Behalf of landowner SS Pointon / On Behalf of landowner SS Pointon
- 23 Baigent James
- 24 Harrison Peter and Fay
- 25 O'Connell John
- 26 Clark Kevin
- 27 Pukerua Holdings Limited
- 28 Paremata Business Park
- 29 Brown Andy
- 30 Richardson Diane
- 31 Procter Warrick
- 32 Harbour Trust & Guardians of Pāuatahanui Inlet / Harbour Trust & Guardians of Pāuatahanui Inlet

33 Spark New Zealand Trading Limited and Vodafone New Zealand Ltd
34 Xuereb Matthew
35 Te Whenua Ora Trust (formerly Te Hiko Puaha Trust)
36 Thomson Charmaine
37 Toka Tū Ake EQC
38 Mann Amos
39 Waters Madeleine
40 Baxter Ian
41 Sheppard Helga
42 Neeson Mark
43 Pike Emily
44 McKeown Ian
45 Hunt Rita
46 Ashton Debra
47 Pukerua Bay Residents Association
48 Sharp John
49 Price Susan
50 Ara Poutama Aotearoa the Department of Corrections
51 Summerset Group Holdings Limited
52 Blank Hugh
53 Transpower New Zealand Limited
54 KM & MG Holdings Limited
55 Gay Hay Judith Frost-Evans and
56 Cody John
57 He Ara Pukerua
58 Fire and Emergency New Zealand
59 Pukerua Property Group Limited
60 Gallagher Rosie
61 Carter David
62 McDuff Brent and Erica
63 Marsden Jim
64 Warburton Brian
65 Gray Street Pukerua Bay Residents Group

66 Colbert Benjamin
67 Ryman Healthcare Limited
68 Friends of Taupo Swamp & Catchment Inc
69 Smart Michelle
70 Paremata Residents Association
71 Silverwood Corporation Limited
72 KiwiRail
73 Radio New Zealand Limited
74 Greater Wellington Regional Council
75 Gadd Roger
76 Kāinga Ora - Homes and Communities
77 Titahi Bay Residents Assn Inc
78 Oil companies - Z Energy Limited & BP Oil NZ Limited & Mobil Oil NZ Limited
79 Plimmerton Residents' Association
80 Robin Jones
81 Waka Kotahi NZ Transport Agency
82 QEII National Trust (QEII)
83 Cawthorn Isabella G F
84 Oyster Management Limited
85 Metlifecare Limited
86 Fleming Tracey
87 Jackson Vanessa
88 Alexander Nash
89 Smart Elijah
90 Marriage Guy
91 Morrison Russell
92 Ministry of Education
93 Lateef Alfaaz
94 Te Whatu Ora - Health New Zealand, Capital, Coast and Hutt Valley
95 Porirua City Council
96 Herbert Joy and Francis
97 Reid Fiona
98 Hopkins Mike

99 Collett Alan
100 Xuereb Susan
101 Story Melissa
102 Bond James Hadley
103 Keenan Claire and Brad
104 Cawthorn Frances
105 Brash Jenny
106 Kearns Michael
107 Webber Wallace Richard and Helen Ann
108 Fletcher Yvonne
109 Booth Stephen and Anne Marie
110 T.C. Papakainga Properties Ltd / Corrina Tupene
111 Pukerua Bay School BOT
112 Wellington Electricity Lines Limited (WELL)
113 Charlton Elizabeth
114 Te Rūnanga o Toa Rangatira
115 Grindell D Suzi
116 Dodge Frances
117 Medlyn Margaret
118 Retirement Villages Association of New Zealand Incorporated
119 Daniel Fiona
120 Surukanti Baswa
122 Survey & Spatial New Zealand - Wellington Branch
123 Heriot Drive Ltd
126 Abdee Grant
127 Davis Rebecca
128 Whitby Lakeside Villas Body Corp

Appendix 2 – List of materials provided by submitters

The following table contains all material provided by submitters through Hearing Stream 7, some of which cover topics addressed in other replies:

SUBMITTER EVIDENCE

Kainga Ora

Martin Gledhill
Michael Cullen
Nicholas Rae
Brendon Liggett
Karen Williams

KiwiRail

Michelle Grinlinton-Hancock

KM and MG Holdings Limited

Andrew Cumming

Ara Poutama

Maurice Dale

Firstgas Limited

Natalie Jade Webb

Foodstuffs North Island Limited

Evita Key

Paremata Business Park

Linda Bruwer (Planning Evidence)

Ministry of Education

Sian Stirling (Planning Evidence)

Pukerua Property Group Limited

Bryce Holmes

Radio New Zealand

Steve White

Retirement Villages Association of New Zealand Incorporated

John Collyns

Ryman Healthcare Limited

Matthew Brown
Phil Mitchell

Silverwood

James Hook

Spark and Vodafone

Grant Wright
Kathleen Haylock

Spark And Vodafone (Graeme Ian McCarrison for Spark Trading New Zealand Ltd and Colin Clune For Vodafone New Zealand Ltd)

Waka Kotahi

Catherine Lynda Heppelthwaite
Claudia Kirkbride
Kesh Keshaboina
Selwyn John Blackmore

Wellington Regional Council

Dr Iain Dawe
Pam Guest
Stuart Farrant

REBUTTAL EVIDENCE

Steve White for Radio New Zealand Limited

SUPPLEMENTARY EVIDENCE

Wellington Regional Council

Pamela Guest

Kainga Ora

Karen Williams - Response to Question from the Hearing Panel (22 Mar 23)

Waka Kotahi

Claudia Kirkbride
Mr Blackmore and Mr Keshaboina

SUBMITTER STATEMENTS

Fuel Companies
Transpower Limited
Z Energy Limited
Te Awarua O Porirua Harbour and Catchments Trust and the Guardians of Pāuatahanui Inlet (Joint)
B Warburton [Os64]
B Warburton for R Smith [168]
David Carter (9 Mar 2023)
David Carter
Oyster Management Limited
RNZ
Pukerua Property Group Limited
Ministry Of Education

MEMOS FROM SUBMITTERS TO PANEL

KiwiRail (20 Mar 2023)
Silverwood Corporation (28 Feb 2023)

SUBMITTER LEGAL SUBMISSIONS

Kainga Ora and RNZ (Joint)
Greater Wellington Regional Council
Kainga Ora

KiwiRail Holdings Limited
KM & MG Holdings Limited
Radio New Zealand
Retirement Villages Association and Ryman Healthcare Limited
Ryman and the RVA
GWRC – Response to Questions Arising Regarding Submission Point Os74.52 (23 Mar 2023)
Kainga Ora (Witness Conferencing)
Silverwood Corporation

EXPERT CONFERENCE JOINT WITNESS STATEMENTS

Graeme McIndoe For PCC and Nick Rae for Kāinga Ora (Urban Design) - 20 Mar 2023
Graeme McIndoe For PCC and Nick Rae for Kāinga Ora (Urban Design) - 22 Mar 2023
Graeme McIndoe For PCC and Nick Rae for Kāinga Ora (Urban Design) 10 Mar 2023
Martin Gledhill For Kainga Ora and Steve White for Radio NZ

SUBMITTER PRESENTATIONS

M Brown for Ryman
Alan Collett
Claire And Brad Keenan
J Collyns for RVA
Jeanette and Bruce Menzies
Paul Botha
Plimmerton Residents Association
Pukerua Bay Residents Association
Pukerua Holdings Ltd
Russell Morrison
The Gray Street Pukerua Bay Residents Group - Rebecca Davis

Appendix 3 – Table of questions from Minute 60 and where these have been responded to by officers

Question	Author	Document where response can be found	Completion date
1	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
2	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
3	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
4	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
5	Michael Rachlin	Response To Interim Question from Panel - Michael Rachlin and Right of Reply – Michael Rachlin – Hearing Stream 7	20 March 2023 and 28 April 2023
6	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
7	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
8	Counsel	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC	22 March 2023
9	Counsel and Michael Rachlin	Response To Interim Questions from The Hearing Panel - Counsel on Behalf Of PCC and Right of Reply – Michael Rachlin – Hearing Stream 7	22 March 2023 28 April 2023
10	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin	20 March 2023
11	Torrey McDonnell	Right of Reply – Torrey McDonnell – Hearing Stream 7	28 April 2023
12	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 4	28 April 2023
13	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 4	28 April 2023
14	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
15	Graeme McIndoe	Response To Interim Questions from Panel - Graeme McIndoe and Right of Reply – Graeme McIndoe	16 March 2023 and 28 April 2023
16	Graeme McIndoe	Response To Interim Questions from Panel - Graeme McIndoe and Right of Reply – Graeme McIndoe	16 March 2023 and 28 April 2023
17	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
18	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
19	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 2	20 March 2023
20	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 2 and Right of Reply – Michael Rachlin	20 March 2023 and 28 April 2023
21	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 2 and Right of Reply – Michael Rachlin	20 March 2023 and 28 April 2023
22	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 2 and Right of Reply – Michael Rachlin	20 March 2023 and 28 April 2023
23	Graeme McIndoe	Response To Interim Questions from Panel - Graeme McIndoe	20 March 2023
24	Phil Osborne	Response To Interim Questions from Panel - Phil Osborne (20 Mar 2023)	20 March 2023
25	Phil Osborne	Response To Interim Questions from Panel - Phil Osborne (20 Mar 2023)	20 March 2023

26	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	15 March 2023
27	Rory Smeaton	Right of Reply – Rory Smeaton – Hearing Stream 7	28 April 2023
28	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	21 March 2023
29	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	21 March 2023
30	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	21 March 2023
31	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	21 March 2023
32	Rory Smeaton	Response To Interim Questions from Panel – Rory Smeaton and Right of Reply – Rory Smeaton – Hearing Stream 7	21 March and 28 April 2023
33	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
34	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 3 and Right of Reply- Michael Rachlin – Hearing Stream 7	20 March 2023 and 28 April 2023
35	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
36	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
37	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
38	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 3 and Right of Reply- Michael Rachlin – Hearing Stream 7	20 March 2023 and 28 April 2023
39	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
40	Michael Rachlin	Response To Interim Questions from Panel - Michael Rachlin - Day 3	20 March 2023
41	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
42	Torrey McDonnell	Printed out and provided to the Panel on 20 March 2023. Also uploaded to Hearings Portal.	20 March 2023
43	Graeme McIndoe	Right of Reply – Graeme McIndoe – Hearing Stream 7	28 April 2023
44	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
45	Graeme McIndoe and Michael Rachlin	Right of Reply – Graeme McIndoe on behalf of Council – Hearing Stream 7 Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
46	Graeme McIndoe	Right of Reply – Graeme McIndoe on behalf of Council – Hearing Stream 7	28 April 2023
47	Graeme McIndoe and Michael Rachlin	Right of Reply – Graeme McIndoe on behalf of Council – Hearing Stream 7, Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
48	Alistair Osbourne	Response To Interim Questions from Panel - Alistair Osbourne - Stormwater Modelling	23 March 2023
49	Rory Smeaton	Response To Interim Questions from Panel - – Rory Smeaton	23 March 2023
50	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
51	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
52	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
53	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
54	Caroline Rachlin	Response to Interim Question from Hearing Panel – Caroline Rachlin	23 March 2023
55	Graeme McIndoe and Michael Rachlin	Right of Reply – Graeme McIndoe on behalf of Council – Hearing Stream 7, Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023

56	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
57	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	23 March 2023
58	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
59	Torrey McDonnell	Right of Reply – Torrey McDonnell – Hearing Stream 7	28 April 2023
60	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	23 March 2023
61	Rory Smeaton	Response To Interim Questions from Panel - Rory Smeaton	23 March 2023
62	Rory Smeaton	Right of Reply – Rory Smeaton – Hearing Stream 7	28 April 2023
63	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
64	Caroline Rachlin	Right of Reply – Caroline Rachlin – Hearing Stream 7	28 April 2023
65	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
66	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
67	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
68	Rory Smeaton	Right of Reply – Rory Smeaton – Hearing Stream 7	28 April 2023
69	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
70	Michael Rachlin	Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023
71	Rory Smeaton	Right of Reply – Rory Smeaton – Hearing Stream 7	28 April 2023
72	Caroline Rachlin Michael Rachlin	Right of Reply – Caroline Rachlin – Hearing Stream 7 Right of Reply – Michael Rachlin – Hearing Stream 7	28 April 2023 28 April 2023