

IN THE MATTER

of the Resource
Management Act 1991

AND

IN THE MATTER

of Hearing of Submissions
and Further Submissions
on the Proposed Porirua
District Plan

Minute 36 - Gwynn Family Trust Submissions

1. We have received a Memorandum from the Council advising that the Stream 5 Section 42A Reports inadvertently failed to mention or address two submissions by the Gwynn Family Trust (Submitter #12). One submission point (12.1) relates to and opposes the Judgeford Flats Future Urban Zone (FUZ) and seeks that the land in question be rezoned Rural Lifestyle. The second submission point (12.4) relates to the Proposed Rural Lifestyle Zoning of land on the western side of the Akatarawas, and seeks that the land be rezoned Rural. It does not appear that there are any further submissions on either of these points.
2. Council's analysis is that Submission point 12.1 has in substance been addressed by the relevant Section 42A Report, because it overlaps with a number of other submissions seeking similar relief. We concur with that analysis.
3. Council's analysis of Submission point 12.4, however, is that this is an entirely discrete point that no other submitter has raised. Mr McDonnell has prepared an Addendum to his Section 42A Report to address it, and the Council seeks leave for it to be tendered.
4. While obviously late in the day, it is important that the substance of every submission is addressed, initially in the Section 42A Reports, with the relevant submitter then having a fair opportunity to be heard.
5. It follows, therefore, that we accept Mr McDonnell's late Addendum Section 42A Report and that our principal concern is to ensure that any prejudice to the submitter (Gwynn Family Trust) is properly addressed. We do not think

that potential prejudice relates only to Submission point 12.4. We do not know, but the submitter may have been misled by the absence of any reference to its submission point in the FUZ Section 42A Report.

6. Accordingly, we give Gwynn Family Trust leave to file evidence (including expert evidence) and/or representations on either submission point by 1pm on Friday 13 May.
7. We note that the Gwynn Family Trust has not so far requested to be heard in the Stream 5 hearing. At this point, we will likely have time available to hear the submitter on 23 or 25 May. If it wishes to be heard, we request the Trust's representatives contact the Hearing Administrator as soon as possible so we can ensure it is accommodated.
8. If any of the above arrangements pose a problem for Gwynn Family Trust we are open to making further directions to ensure that they have a fair opportunity to be heard.

Dated 3 May 2022



**Trevor Robinson
Chair
For the Proposed Porirua District Plan Hearings Panel**