

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 40 – Stream 5 Hearing Issues

1. The purpose of this Minute is to address the receipt of evidence of flooding issues at Judgeford Flats and to prepare for the forthcoming hearing of the submission of Silverwood Corporation Limited (**Silverwood**) on 5 and 6 July.
2. Addressing the Judgeford Flats issues, following flooding in the area on 9 June, Ms Johnston and Ms Blake (for Judgeford Environmental Protection Society Inc) separately submitted to us a series of photographs of flood effects in the Murphys Road area. The photographs largely speak for themselves and are a factual record of the effects of that particular flood. The Council Reply on the zoning in this area will not be filed until the second half of July and accordingly, we can see no potential for prejudice to the Council.
3. We therefore accept the photographic material provided to us into the hearing record.
4. Turning to Silverwood issues, we have received and undertaken an initial review of Silverwood's evidence. Three briefs have been filed, covering economic, landscape and planning issues respectively. The landscape evidence for Silverwood (from Mr Hudson), and for the Council (from Ms Armstrong) is not highly contested. To the extent that there are differences between the witnesses, we can explore those differences when the respective witnesses give evidence. We do not consider that we would be assisted by them conferencing in advance of the hearing.
5. The position as between the economic evidence of Mr Osborne for the Council and Mr Thompson for Silverwood is rather different. There are clearly significant points in contention, but it does not appear that the underlying data

is disputed. Rather, it is the inferences drawn from and analysis of that data that the witnesses differ on. We already have a brief Joint Witness Statement from the two economists prepared before Mr Thompson finalised his evidence and do not consider that we would be assisted by the economists conferencing further. Rather, we think that we would derive greater value from Mr Osborne providing a succinct rebuttal brief which we might then use as the basis for our questions of both witnesses.

6. Lastly, the planning evidence of Ms Sweetman for the Council and Ms Blick for Silverwood is contentious but, to a large extent, their differences of view reflects differences in the evidence of other experts on whom the planners rely. Accordingly, we do not consider there being much to be gained from directing Ms Sweetman and Ms Blick to conference either.
7. There is one remaining issue that we need to address. The Silverwood submission was supported by expert reports in a range of other disciplines. The Council evidence does not materially dispute the conclusions reached by those other technical experts and, understandably, Silverwood has not filed further evidence in that regard. The Hearing Administrator has, however, passed on to us Silverwood's offer that any of those other experts can be made available should we wish to discuss any aspect of the Silverwood submission with them.
8. We would like to take Silverwood up on that offer. Specifically, we have one or two questions that we would like to discuss with Silverwood's urban design expert(s). The relevant report is noted as being authored by Ms Xu and reviewed by Ms White. We leave it to Silverwood to determine who would be best placed to discuss it with us.

Dated 21 June 2022



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