

**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 41 – Stream 6 Follow-Up**

1. Following the Stream 6 hearing that occurred yesterday, 27 June, there are two matters that we need to address. The first is that at the conclusion of the presentation of Messrs Shaw and Morrison on behalf of the Paremata Residents Association, the Chair indicated that the Hearing Panel would give the Association leave to present further analysis of the conditions of the existing ODP Designations KO-411 and KO-412 to identify those that have continuing relevance in a consolidated PDP designation, either because they direct ongoing actions, or because of the context they provide for ongoing conditions.
2. We understand that the Residents Association's position is that all of the conditions should be retained. but we confirm that the option is open to the Association to provide us with a further condition by condition commentary, effectively as a fallback position should we not accept the Association's preferred relief. We emphasise both that any covering commentary could be quite brief, and that this is an option open to the Association that it can choose to take up, or not.
3. If the Association does choose to take up this option, its input needs to be in the hands of the Hearing Administrator by 1pm this coming Friday, 1 July.
4. We need to factor that step into the timing of the Council's Reply. We discussed with Mr Smeaton the fact that the timing of the Council's Reply also needs to be sufficient for him to address the matters in respect of which we asked him to consider further and/or provide more detailed commentary (discussed below).

5. In particular, we discussed with Mr Smeaton the desirability of his providing with the Council's Reply, an analysis of the 'rolled-over' designations to see if any overlays applied that would indicate a need for additional conditions.
6. There were a number of other matters in respect of which Mr Smeaton said that he would provide further feedback in reply. From our notes of the hearing, these included:
  - (a) The possibility of an advisory note recording the potential relevance of National Environmental Standards to the Designations in the Plan;
  - (b) The potential need to address hazard issues raised by the Firstgas Designation (FGL-01);
  - (c) Potential amendments to the conditions recommended for the Firstgas Designation clarifying their interrelationship with the Outline Plan process, if any, and providing greater certainty around implementation of the CEMP he recommended be required;
  - (d) Providing further information where designations overlap, as to which is the primary designation;
  - (e) Considering whether the Minister of Education has a sufficient interest in the land the subject of the proposed new designations to remove the need for consideration of alternatives;
  - (f) Providing a larger scale version of Figure 5 from the Section 42A Report;
  - (g) Confirm whether Porirua City Council, in its capacity as relevant territorial authority, formally agrees to the recommended change of requiring authority for notified Designation NJUS-01.
7. In addition, while we anticipate that Mr Smeaton will reply, as appropriate, to any further commentary received from the Paremata Residents Association, there were a number of aspects of ODP Designations KO-411 and KO-412 that he indicated he would need to reflect upon following our discussion with him.

8. As previously, the content of the Council's Reply is of course ultimately a matter for the Council to determine.
9. We confirm that the timing for provision of Council's Reply is 1pm on 25 July although it would be appreciated if it were provided earlier than that if possible.

**Dated 28 June 2022**

A handwritten signature in blue ink, appearing to read 'T. Robinson', with a large, stylized flourish extending upwards and to the left.

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