

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 44 – Stream 5 Follow Up (2)

1. Following completion of the resumed Stream 5 hearing on 6 July, there are a number of matters we need to address.
2. First we record some information we requested that Silverwood Corporation Ltd (**Silverwood**) supply to the Panel:
 - a) We asked Mr Thompson to provide a revised version of Figure 1 in his Summary Statement with an additional column showing the relevant figures for Porirua District;
 - b) A copy of Silverwood’s submission to the Council in relation to the draft Growth Strategy;
 - c) Any written feedback from the Council setting out its decisions in relation to Silverwood’s submission.
3. We asked that material be provided by close of business Friday 8 July.
4. We discussed with both Silverwood and Ms Sweetman the provision we might make for Silverwood to provide more evidence when the forthcoming Variation to the PDP is notified- refer Minutes 42 and 43 in that regard. There are two areas where further evidence might be appropriate:
 - a) Mr Thompson’s comments on the economic modelling underpinning the Variation;
 - b) Any other issues where the Variation has implications for the case Silverwood presented.
5. The reasons why Mr Thompson should have the opportunity to respond to the additional economic modelling supporting the Variation are set out in Minute 43. We are not prepared, however, to give Silverwood open ended

leave to provide evidence on any aspect of the Variation and the material supporting it.

6. Rather, we propose to set a single deadline within which Silverwood might file further economic evidence from Mr Thompson, as above, and file an application seeking leave to file additional non-economic evidence arising from the Variation
7. We accept counsel for Silverwood's suggestion that the appropriate timing for Silverwood to determine its position in relation to both matters is after submissions have been filed on the Variation. We therefore fix the deadline for both as 1pm on Monday 3 October.
8. We record the verbal indication the Chair gave that the Panel have made no decisions as to the procedure followed thereafter. It will consider in particular whether it is possible to deal with any additional evidence it receives by provision of written questions and answers. What is certain, however, is that the Council retains its right of final reply.
9. Notwithstanding that the Silverwood case may not be closed, the panel requests that the Council reply to the case presented by Silverwood to date (along with other submissions related to the Future Urban Zone) so that the Panel can review the evidence and submissions made to it while they are fresh in the memory.
10. We had previously fixed 20 July as the date for provision of the Council's reply, but Ms Sweetman requested an extension to accommodate her commitments to a hearing she will be involved in over the intervening period. The Hearing Panel is not planning to meet to deliberate on these matters until 1 August (in Silverwood's case, necessarily on a provisional basis), and so we are able to accommodate Ms Sweetman's request. We fix 1pm on 28 July as the revised date for the Council's reply on all outstanding Stream 5 issues, that is to say, including its reply on the Rural Chapters of the PDP.
11. Turning to the content of the Council's reply, as previously, we have identified a number of matters in respect of which we would request specific feedback.
12. On the Rural Chapters, those are:
 - a) Please confirm the width of the road reserve on rural roads assessed as too narrow to permit RL intensification i.e. Belmont, Murphys, Muri, Upper Moonshine, Mulhern;

- b) Can Mr Whittaker please comment on whether the capacity of Paekakariki Hill Road is sufficient to accommodate the proposed Milmac rezoning if it is restricted to 17-18 units;
- c) Please provide a map showing the contours on the Milmac land;
- d) Whether quarry policies need clarity as to what level of off-site adverse effects is acceptable e.g. physical damage from blasting, and whether the policies should make specific reference to an appropriate buffer being maintained between quarrying operations and rural residences, even if the size of that buffer is left for future consent decisions;
- e) Clarify whether the reference in GRUZ-R16 to the specified number of staff relates to the number present throughout the working day or, alternatively, who rotate on and off site;
- f) As regards the submission summarised at paragraph 43 of the s42A Report, state a clear view as to whether the relief sought is valid;
- g) What evidence is there of the scale of potential odour effects on the yellow and red hatched areas shown on the plan at page 3 of Appendix C (of the s42A report) adjacent to the wastewater treatment plant, and does that justify retention of the entire area as Rural;
- h) Please provide a larger scale map (A3 format) of the area of Pikarere Farm (and sections subdivided off it) adjacent to the PCC wastewater treatment plant, including current cadastral boundaries, land ownership, approved building platforms and dwellings (colour coded to enable identification of completed dwellings), contours, and proposed zoning;
- i) Please provide a link to the Council's WWTP resource consent Application, expert evidence in relation to odour effects and the 42A report if available;
- j) Please provide a map showing the distance of Willowbank Quarry to the nearest residences, with the address and owner of each residence noted either on the face of the map or with a key so they can be identified.

13. On the Future Urban Zone:

- a) Please provide a map showing the Judgeford Hills FUZ area relative to the ODP Zone;
- b) Please provide larger scale (A3) maps of the Judgeford Flats FUZ showing cadastral boundaries with a key enabling addresses and landowners to be identified with and without the modelled flood hazard.

Also please advise what percentage of each property is subject to a modelled 1-100 flood risk of greater than 1 metre depth;

- c) Please comment specifically on the extent of the modelled flood hazard in areas recommended for RLZ zoning, and the appropriateness of that zoning in light of the flood risk;
- d) Please advise the recorded rainfall and peak stream flows in the Judgeford Flats area over the 24 hours to 9am on 9 June 2022 in a table also showing the current assessment of the 1/100AEP for both values.
- e) Given the fragmented ownership of the Judgeford Flats FUZ, how does Council envisage a structure plan being prepared, and by whom- and what is the anticipated timescale for that;
- f) Produce demand/supply predictions for industrial land, noting the extent to which the recommended Judgeford Flats FUZ (i.e. as varied from the notified version) addresses demand, including commentary on the extent to which industrial development of the Judgeford Flats FUZ is both feasible and realistic;
- g) Please comment on the alternative areas (to Judgeford Flats) suggested by Mr Gwynn and Ms Johnstone.;
- h) Please comment on the merit of (and scope for) providing greater direction in FUZ-P2 as to when an area zoned FUZ will be upzoned e.g. to ensure that occurs at a time and extent that does not unduly disincentivise infill intensification;
- i) Whether the FUZ areas within walking distance of the Pukerua Bay Railway Station are required by the NPSUD to be upzoned for six storey development immediately if there are submissions seeking that relief;
- j) Query whether the term "*Rural Activities*" should be used in objectives and policies given the lack of clarity as to what the defined term actually encompasses.
- k) Please advise the relative proportions of SAL land within the Judgeford Hills FUZ compared to the Silverwood/ Landcorp land the subject of Silverwood's submission;
- l) Please describe the regulatory regime at Takapūwāhia as notified in the PDP, and as proposed to be amended by the forthcoming variation;
- m) Can Ms Armstrong please provide a map showing the area she identified where development on the Silverwood site should be avoided;
- n) Can Mr Osborne please provide a table showing the theoretical , feasible and realisable housing supply numbers as per the 2019 HBA, the 2021 revision, and the work supporting the forthcoming Variation;

- o) Can Council please advise if it has any documented policy as to the desired proportions of infill and greenfield residential development.

Dated 8 July 2022

A handwritten signature in blue ink, appearing to read 'TR', with a large, stylized flourish extending downwards and to the right.

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