

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 48 – Silverwood Rezoning Issues

1. As part of its deliberations on Stream 5 matters on 1 August, the Hearing Panel had a preliminary discussion on the issues raised by the Silverwood submission.
2. The Panel is concerned that the way the evidence on landscape and visual issues has emerged may have operated unfairly to Silverwood. Specifically, with the potential relevance of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 only coming into focus during the hearing, Ms Armstrong has had the opportunity to provide a detailed commentary setting out her thoughts on that matter, but Mr Hudson has not. We do not criticise Ms Armstrong for that. In part, her reply evidence responds to a specific request we made (to clarify her evidence), and the balance of her evidence is a direct response to matters raised at the hearing. As such, it properly falls within the scope of an evidential reply.
3. Given that we have already made directions providing Silverwood with the opportunity to make comment on economic issues arising out of the forthcoming variation to the PDP, and potentially to other matters, we think that there is an opportunity to clarify Silverwood's case on the matters canvassed in Ms Armstrong's Reply evidence.
4. The specific issue on which we would invite Silverwood to provide us with more input is whether, in light of the 2021 Amendment Act (and in particular its specification of a limited range of permitted activity standards on residential development in the Porirua Urban Area), we can have confidence that the nuanced development concept described by Mr Hudson (and Ms White) in their evidence is an outcome that can be directed as part of the upzoning of

the Silverwood/Landcorp properties in future (assuming they are zoned FUZ as part of this process).

5. While we anticipate that such a response would principally be from Mr Hudson and/or Ms White, we do not propose to limit Silverwood's response solely to a technical landscape and visual amenity analysis. The overlap between landscape, planning, urban design and legal issues created by the 2021 Amendment Act means that Mr Dawson and Ms Blick may wish to provide a legal and planning lens on that matter in addition to any response from Mr Hudson and/or Ms White to Ms Armstrong's reply evidence.
6. If Silverwood chooses to take up this opportunity, its feedback, whether in the form of a legal memorandum or expert evidence should be in the hands of the Hearing Administrator by 1pm on Monday 3 October.
7. As previously, once that material is in hand, we will decide what process we follow from there.

Dated 8 August 2022



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