

From: [Brian Warburton](#)
To: [Submissions](#); [Maria Joslin](#)
Cc: [Friend of Submitters PC18](#)
Subject: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions
Date: Thursday, 6 August 2020 5:11:04 PM

Hello again Maria

Sorry to be a nuisance but I've been through the Panel's directions and I've noted a few things where further clarity would be useful.

1. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to confirm that this also applies to Porirua City Council?
2. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to direct a date by which a list of the experts, and the respective parties, will be made available on the website?
3. The Panel has directed that: *"Expert witnesses will attend expert conferencing which will ..."* Is the Panel able to direct a date by which a statement of matters agreed, or disagreed, (as the case may be) by those experts will be made available?
4. The Panel has directed that: *"Any submitter may provide written questions of the experts to the Hearing Administrator by 3pm 30 September 2020."* However, the Panel has also directed that: *"The s42A report authors, and any expert advisors on behalf of the council, may provide rebuttal evidence to the Hearing Administrator by 3pm 5 October 2020."* It would appear sensible if the 'question date' post-dated the 'rebuttal date', as the rebuttal evidence is likely to help define the scope and nature of the questions. Is the Panel able to rectify?
5. The Panel has made several references to time constraints, and as far as obligations on submitters are concerned it has indicated that: *"In general, submitters will have 10 minutes to present to the Hearing Panel followed by 5 minutes of questions."* Can the Panel please indicate what its expectations of PCC staff, and its experts, are in this regard?

Thanks for the opportunity to provide input into the process.

Regards

Brian Warburton

From: Brian Warburton <[REDACTED]>
Sent: Thursday, 6 August 2020 3:51 p.m.
To: 'xxxxxxxxxx@xxxxxxxxxxx.xxx.xx' <xxxxxxxxxx@xxxxxxxxxxx.xxx.xx>;
'xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx' <xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>
Cc: 'xxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx.xx'
<xxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx.xx>

From: [Friend of Submitters PC18](#)
To: [Maria Joslin](#)
Subject: Question from Submitter PC18/107 [REDACTED]
Date: Wednesday, 12 August 2020 12:42:38 PM

Hi Maria,

I have received the below request from submitters PC18/107 [REDACTED]. She seeks clarification as to her status as a lay or expert submitter and consequently her obligations under Minute 1, specifically whether she is able or required to attend the pre-hearing conferencing or expert witness conferencing.

Would you please forward this to the Chair for their response?

With warm regards,

Emily

From: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx.xx>
Sent: Wednesday, August 12, 2020 12:34 PM
To: [REDACTED] >
Cc: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>
Subject: Re: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Hi [REDACTED],

Thanks for your email. The instructions from the Panel required me to contact all submitters, and so my email has been distributed to all parties who have requested to be heard, and has not made a distinction between 'lay' and 'expert' submitters. Your question about your status as either an expert or lay submitter, and queries relating to your ability to attend the pre-hearing or expert witness conferencing should be directed to the Panel, through the Hearings Administrator. I have forwarded your email to the Hearings Administrator requesting this be submitted to the Panel for their response to your questions.

I am happy to discuss further once we receive a response from the Panel,

With warm regards,

Emily

From: [REDACTED] >

Sent: Wednesday, August 12, 2020 10:36 AM

To: Friend of Submitters PC18 <XXXXXXXXXXXXXXXXXXXXXXXX@XXXXXXXXXX.XXXX.XX>

Cc: Submissions <XXXXXXXXXX@XXXXXXXXXX.XXXX.XX>; [REDACTED]

[REDACTED] >

Subject: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Hello Emily

Thank you for your memo in your capacity as Friend of Submitters which was attached to an email from Maria Joslin received by me on 11 August 2020.

I need some clarity about some aspects of the Panel's directions so I can have confidence I am adequately complying with them. Hopefully you might be able to assist.

Your memo intimates that I have, for some reason, been deemed to be a 'lay submitter'. I note that the Panel's direction dated 6 August 2020 uses the term 'lay submitter', but does not define the expression so I am unsure what it means and what the corresponding implications are.

It could be that a 'lay submitter' is simply a submitter who does not intend to call 'expert evidence', but is still be able to call 'lay evidence' if they choose. If this is the case can you please confirm?

If this presumption is correct however, it begs the question: "What is the difference between 'lay evidence' and 'expert evidence'". If you could provide some clarity around that query it would be appreciated.

There is another point needing clarification in this regard. If a submitter intends to call both 'lay evidence' and 'expert evidence' what is the submitter's status:

- as far as the programmed 'pre-hearing conferencing' is concerned as this is only available for submitters not intending to call expert evidence (see Clause 8.2 of the Panel's directions); and,
- as far as the programmed 'expert witness conferencing' is concerned as this is can only be attended by 'expert witnesses' (see Clause 9.8 of the Panel's directions).

On the face of it, a submitter who intends to call both 'lay evidence' and 'expert evidence' appears unable to attend 'pre-hearing conferencing' but is also precluded from the 'expert witness conferencing'. Are you able to clarify this for me?

I look forward to your reply.

Regards

[REDACTED]

----- Original Message -----

From: XXXXXXXXXXXX@XXXXXXXXXXXX.XXXX.XX

To: [REDACTED]

Date: 11 August 2020 at 14:10

Subject: Plan Change 18: Plimmerton Farm

Kia ora

Please find attached a memo from the Friend of Submitters, Emily Bayliss.

The memo advises you of how the Friend of Submitters can assist you in the pre-hearing process for Plan Change 18: Plimmerton Farm.

If you have any questions, please don't hesitate to contact me.

Nga mihi,

From: [Brian Warburton](#)
To: [Maria Joslin](#)
Cc: [Friend of Submitters PC18](#)
Subject: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions
Date: Thursday, 13 August 2020 7:27:00 PM
Attachments: [image001.png](#)

Hello Maria

It's been a week now and I've not had a response to my queries.

Is it possible to indicate when I could expect that?

Thanks

Brian Warburton

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 7 August 2020 9:16 a.m.
To: Brian Warburton <[REDACTED]>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Good morning Brian

Thank you for bringing to our attention the draft reference in the hearing panel's minute.

I can confirm this is the final version of the minute.

The reference in the PDF on our website page has been updated.

Thank you also for your questions with regard to the directions. I have forwarded these to the hearing panel for their response.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
[porirucity.govt.nz](#)

From: Brian Warburton <[REDACTED]>
Sent: Thursday, 6 August 2020 5:11 p.m.
To: 'xxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx' <xxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>;
'xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx' <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Cc: 'xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx' <xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: RE: Plan Change 18: Plimmerton Farm - Hearing Directions

From: [Martin Neale](#)
To: [Maria Joslin](#); [David Allen](#); [Miria Pomare](#); [Ian Munro](#); [Nicki Williams](#)
Subject: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - question from submitter
Date: Thursday, 13 August 2020 5:44:58 PM
Attachments: [image001.png](#)

Hi folks,

Unless I've missed something, I'll start off the discussion about these questions...

QEII/ [REDACTED]

This seems to be a minor issue where they have requested us to consider some edits to their submission. My review is that these edits are minor in nature and provide some further explanation/detail around a couple of submission points. I don't think this is an issue we should be unduly concerned about.

[REDACTED] is puzzled by the role of lay and expert witnesses and whether she (or representatives) may attend the 'pre-hearing conference' (for lay submitters) or the 'expert witness conference'.

My understanding of having these two sessions separate is to allow the participants (and eventually the panel) to get the most benefit from the sessions. I don't think we should preclude Robyn (or representatives) attending either session, but we should provide the relevant information from the EC Practice Note about our expectations of expert witnesses and their participation in conferencing (referred to in bullets 9.5 and 9.8 in Minute 1).

Minute 1 also provides an avenue for experts to attend the pre-hearing meeting for lay submitters if the Panel agrees (bullet 8.2).

Brian Warburton

Multiple questions primarily about the role of PCC in the hearing process.

My view on these questions below in green –

1. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to confirm that this also applies to Porirua City Council?
 - a. I think this should apply to all experts
2. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to direct a date by which a list of the experts, and the respective parties, will be made available on the website?
 - a. In my experience, I've not seen this information made public before the evidence is submitted. My view is that this information is for the Panel's benefit.
3. The Panel has directed that: *"Expert witnesses will attend expert conferencing which will ..."* Is the Panel able to direct a date by which a statement of matters agreed, or disagreed, (as the case may be) by those experts will be made available?
 - a. We have requested a conferencing report is prepared and agreed during the

session (w/c 21 September). I see no issue with this report being posted to the website the following week. If you agree, shall we say on Monday 28th? This would give people time to review the statement before questions of the experts are due (on 30th September)

4. The Panel has directed that: *“Any submitter may provide written questions of the experts to the Hearing Administrator by 3pm 30 September 2020.”* However, the Panel has also directed that: *“The s42A report authors, and any expert advisors on behalf of the council, may provide rebuttal evidence to the Hearing Administrator by 3pm 5 October 2020.”* It would appear sensible if the ‘question date’ post-dated the ‘rebuttal date’, as the rebuttal evidence is likely to help define the scope and nature of the questions. Is the Panel able to rectify?
 - a. I think the timeframe precludes changing these dates. We have signalled that submitters can raise any remaining issues with the panel (Bullet 9.14), but perhaps we need to provide a mechanism for how ‘the Chair may put questions raised by another submitter to a submitter or expert’ (bullet 12.4)? Questions should be submitted in writing to the hearings administrator?

5. The Panel has made several references to time constraints, and as far as obligations on submitters are concerned it has indicated that: *“In general, submitters will have 10 minutes to present to the Hearing Panel followed by 5 minutes of questions.”* Can the Panel please indicate what its expectations of PCC staff, and its experts, are in this regard?
 - a. I presume PCC will need more than ten minutes to present their case! Can we say something like ‘the Panel are working with the hearings administrator and PCC to identify the time required for the PCC to present its case’?

Happy to discuss...

Martin

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Sent: Wednesday, 12 August 2020 12:40 PM
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxxxx.xxx>; Miria Pomare [REDACTED];
Martin Neale <[REDACTED]>; Ian Munro <[REDACTED]>; Nicki Williams
<[REDACTED]>
Subject: Plan Change 18: Plimmerton Farm - question from submitter

Good afternoon

In response to the memo to submitters, from the Friend of Submitters, we have received the following questions from submitter #107 (and further submitter #4) [REDACTED].

Emily Bayliss has requested the questions be directed to the Panel.

Please refer to the email chain below and advise how you would like me to respond.

Ngā mihi,

an email from Maria Joslin received by me on 11 August 2020.

I need some clarity about some aspects of the Panel's directions so I can have confidence I am adequately complying with them. Hopefully you might be able to assist.

Your memo intimates that I have, for some reason, been deemed to be a 'lay submitter'. I note that the Panel's direction dated 6 August 2020 uses the term 'lay submitter', but does not define the expression so I am unsure what it means and what the corresponding implications are.

It could be that a 'lay submitter' is simply a submitter who does not intend to call 'expert evidence', but is still be able to call 'lay evidence' if they choose. If this is the case can you please confirm?

If this presumption is correct however, it begs the question: "What is the difference between 'lay evidence' and 'expert evidence'". If you could provide some clarity around that query it would be appreciated.

There is another point needing clarification in this regard. If a submitter intends to call both 'lay evidence' and 'expert evidence' what is the submitter's status:

- as far as the programmed 'pre-hearing conferencing' is concerned as this is only available for submitters not intending to call expert evidence (see Clause 8.2 of the Panel's directions); and,
- as far as the programmed 'expert witness conferencing' is concerned as this is can only be attended by 'expert witnesses' (see Clause 9.8 of the Panel's directions).

On the face of it, a submitter who intends to call both 'lay evidence' and 'expert evidence' appears unable to attend 'pre-hearing conferencing' but is also precluded from the 'expert witness conferencing'. Are you able to clarify this for me?

I look forward to your reply.

Regards

[REDACTED]

----- Original Message -----

From: xxxxxxxxxxx@xxxxxxxxxxx.xxxx.xx

To: [REDACTED]

Date: 11 August 2020 at 14:10

Subject: Plan Change 18: Plimmerton Farm

Kia ora

Please find attached a memo from the Friend of Submitters, Emily Bayliss.

The memo advises you of how the Friend of Submitters can assist you in the pre-hearing process for Plan Change 18: Plimmerton Farm.

If you have any questions, please don't hesitate to contact me.

Nga mihi,

Maria Joslin
Consultation Support Coordinator
Kairuruku Tautoko Akoako

|

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From: [David Allen](#)
To: [Maria Joslin](#)
Subject: [EXTERNAL] RE: Draft response [REDACTED] [BUD-LIVE.FID949574]
Date: Friday, 14 August 2020 9:48:18 AM
Attachments: [image002.png](#)
[image003.png](#)

Great thanks – a few minor tweaks

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: 14 August 2020 09:46
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx>
Subject: Draft response [REDACTED]

Hi David

Draft response to [REDACTED], please advise:

Kia ora [REDACTED]

In response to your questions regarding expert and lay evidence for Plan Change 18, the Hearing Panel have advised:

- An expert witness is a qualified and experienced professional appearing on behalf of a submitter and who provides an independent and impartial opinion.
- Submitters who have expert qualifications but intend to represent themselves in their personal capacity as a submitter are not independent and impartial and cannot provide expert evidence.
- Lay submitters are people who wish to give the panel their own personal opinions as residents, individuals or members of a group or a community, but who are not intending to provide the panel with independent expert evidence based on them having expert qualification or experience and being called on behalf of a submitter or the Council.

For clarity, the pre-hearing meetings are intended for submitters only, and the expert conferences are intended for expert witnesses only. Any experts wishing to attend the pre-hearing meetings must seek agreement from the Panel first, as per paragraph 8.2 of Minute 1. Please feel free to contact me should you have any further questions.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: [EXTERNAL] RE: Draft response to Brian Warburton [BUD-LIVE.FID949574]
Date: Friday, 14 August 2020 10:39:11 AM
Attachments: [image002.png](#)
[image003.png](#)

Great thanks!!

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <~~xxxx@xxx~~>
Sent: 14 August 2020 10:05
To: David Allen <~~xxxx@xx~~>
Subject: Draft response to Brian Warburton

Hi David

Draft response below for Brian Warburton, please advise:

Kia ora Brian

In response to your questions regarding clarification of directions in Minute 1, the Hearing Panel have advised:

1. The Council officer's s.42A report is due 21 August 2020 and paragraph 7.1 of the minute clearly states that it will include any expert evidence for the Council. The later date of 28 August is to allow submitters time to identify where experts are wanted and to advise the panel so that any issues or contentious areas can be identified and expert conferencing can be directed in those areas.
2. The list of experts and the respective parties is for the benefit of the Hearing Panel and administration and as such will not be published on the website.
3. The report following the pre-hearing meetings is due to be provided to the Hearing Administrator by Monday 28th September. The panel has agreed to make this available on the website as soon as is practicable, after being received.
4. The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first instance). The timeframe remains as set out in the minute.
5. The Panel are working with the Hearing Administrator and the Council to identify the time required for the Council's presentation. The time requirements will be clearer once the s.42A report has been received.

Please feel free to contact me should you have any further questions.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863

porirucity.govt.nz

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From: [Brian Warburton](#)
To: [Maria Joslin](#)
Cc: [Friend of Submitters PC18](#)
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions
Date: Friday, 14 August 2020 2:53:30 PM
Attachments: [image001.png](#)

Thank you Maria for attending to my requests.

I'm sorry but there are still some areas where things are not clear to me. If you could provide clarification that would be appreciated. My comments and requests are in red below.

Thanks

Brian Warburton

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 14 August 2020 10:46 a.m.
To: Brian Warburton <[REDACTED]>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Kia ora Brian

In response to your questions regarding clarification of directions in Minute 1, the Hearing Panel have advised:

1. The Council officer's s.42A report is due 21 August 2020 and paragraph 7.1 of the minute clearly states that it will include any expert evidence for the Council. The later date of 28 August is to allow submitters time to identify where experts are wanted and to advise the panel so that any issues or contentious areas can be identified and expert conferencing can be directed in those areas.

Thanks for this clarification. I was wanting to ensure that Clause 7.1 and 9.3 were linked, as now confirmed.

2. The list of experts and the respective parties is for the benefit of the Hearing Panel and administration and as such will not be published on the website.

Can you please clarify? I was anticipating that the list of experts would be made available to all other parties to the proceedings. Sharing this information would, for example, facilitate the consultation between experts referred to in Clause 9.7.

3. The report following the pre-hearing meetings is due to be provided to the Hearing Administrator by Monday 28th September. The panel has agreed to make this available on the website as soon as is practicable, after being received.

Thanks for this clarification.

4. The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first

Subject: RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Good morning Brian

Thank you for bringing to our attention the draft reference in the hearing panel's minute.

I can confirm this is the final version of the minute.

The reference in the PDF on our website page has been updated.

Thank you also for your questions with regard to the directions. I have forwarded these to the hearing panel for their response.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863

porirucity.govt.nz

From: Brian Warburton <[REDACTED]>

Sent: Thursday, 6 August 2020 5:11 p.m.

To: 'xxxxxxxxxxx@xxxxxxxxxxx.xxx.xx' <xxxxxxxxxxx@xxxxxxxxxxx.xxx.xx>;

'xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx' <xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>

Cc: 'xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx.xx'

<xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx.xx>

Subject: RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Hello again Maria

Sorry to be a nuisance but I've been through the Panel's directions and I've noted a few things where further clarity would be useful.

1. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to confirm that this also applies to Porirua City Council?
2. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to direct a date by which a list of the experts, and the respective parties, will be made available on the website?
3. The Panel has directed that: *"Expert witnesses will attend expert conferencing which will ..."* Is the Panel able to direct a date by which a statement of matters agreed, or disagreed, (as the case may be) by those experts will be made available?
4. The Panel has directed that: *"Any submitter may provide written questions of the experts to the Hearing Administrator by 3pm 30 September 2020."* However, the Panel has also

From: [David Allen](#)
To: [Ian Munro](#); [Martin Neale](#)
Cc: [Miria Pomare](#); [Nicki Williams](#); [Maria Joslin](#)
Subject: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - question from submitter [BUD-LIVE.FID949574]
Date: Friday, 14 August 2020 8:43:29 AM
Attachments: [image003.png](#)
[image002.png](#)

Thanks Ian and Martin for your comments.

Maria could you please prepare draft responses as set out below – call if any questions and I can check the drafts.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Ian Munro <[REDACTED]>
Sent: 13 August 2020 20:32
To: Martin Neale <[REDACTED]>
Cc: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxk>; Miria Pomare <[REDACTED]>; Nicki Williams <[REDACTED]>
Subject: Re: Plan Change 18: Plimmerton Farm - question from submitter

Hi, my comments in red below...

Warm regards,

IAN MUNRO

On Thu, Aug 13, 2020 at 5:44 PM Martin Neale <[REDACTED]> wrote:

Hi folks,

Unless I've missed something, I'll start off the discussion about these questions...

QEII / [REDACTED]

This seems to be a minor issue where they have requested us to consider some edits to their submission. My review is that these edits are minor in nature and provide some further explanation/detail around a couple of submission points. I don't think this is a issue we should be unduly concerned about.

Agreed. Agree too.

██████████
██████████ is puzzled by the role of lay and expert witnesses and whether she (or representatives) may attend the 'pre-hearing conference' (for lay submitters) or the 'expert witness conference'.

We could simply clarify that an expert witness is a qualified and experienced professional appearing on behalf of a submitter and who provides an independent and impartial opinion. Submitters who have expert qualifications but who intend to represent themselves in their personal capacity as a submitter are not independent and impartial and should not seek to cannot provide expert evidence. Lay submitters are people who wish to give us their own personal opinions as residents, individuals or members of a group or a community, but who are not intending to provide us with independent expert evidence based on them having expert qualification or experience and being called on behalf of a submitter or the Council.

My understanding of having these two sessions separate is to allow the participants (and eventually the panel) to get the most benefit from the sessions. I don't think we should preclude ██████████ (or representatives) attending either session, but we should provide the relevant information from the EC Practice Note about our expectations of expert witnesses and their participation in conferencing (referred to in bullets 9.5 and 9.8 in Minute 1).

I disagree with this. It defeats the purpose of having useful and focused expert conferences if everybody is involved. Experts only at the expert conference, and no experts at the lay conference. I agree.

Minute 1 also provides an avenue for experts to attend the pre-hearing meeting for lay submitters if the Panel agrees (bullet 8.2).

As above, I don't think experts should attend the lay meetings as they can intimidate true laypeople and diminish their participation. I think we need to keep the expert and non-expert groups quite separate. I agree

Brian Warburton

Multiple questions primarily about the role of PCC in the hearing process.

My view on these questions below in green –

1. The Panel has directed that: "All parties who wish to provide expert evidence must, by 3pm 28 August 2020" Is the Panel able to confirm that this also applies to Porirua

City Council?

- a. I think this should apply to all experts

I don't disagree, but my expectation is that the Council would provide its own expert evidence with the s.42A report and that the expert evidence referred to here would be submitters' experts responding to the s.42A report and council expert evidence? In any event, let's clarify. I agree – the officer's report is due 21 August and section 7.1 clearly states that it will include any expert evidence for the council. The later date 28 August is to allow submitters time to identify where experts are wanted and to tell us so that we can identify issues/contentious areas and direct (and Maria can arrange) conferencing.

2. The Panel has directed that: *"All parties who wish to provide expert evidence must, by 3pm 28 August 2020"* Is the Panel able to direct a date by which a list of the experts, and the respective parties, will be made available on the website?

- a. In my experience, I've not seen this information made public before the evidence is submitted. My view is that this information is for the Panel's benefit.

I am not that fussed on this - sometimes submitters cannot secure experts until quite late in the piece and a requirement for some form of pre-qualification or registration could work against them. We have a date for expert evidence to be received and that is fine as I see it. As above, the list is for our and administration benefit.

3. The Panel has directed that: *"Expert witnesses will attend expert conferencing which will ..."* Is the Panel able to direct a date by which a statement of matters agreed, or disagreed, (as the case may be) by those experts will be made available?

- a. We have requested a conferencing report is prepared and agreed during the session (w/c 21 September). I see no issue with this report being posted to the website the following week. If you agree, shall we say on Monday 28th? This would give people time to review the statement before questions of the experts are due (on 30th September)

Agreed. Agreed.

4. The Panel has directed that: *"Any submitter may provide written questions of the experts to the Hearing Administrator by 3pm 30 September 2020."* However, the Panel has also directed that: *"The s42A report authors, and any expert advisors on behalf of the council, may provide rebuttal evidence to the Hearing Administrator by 3pm 5 October 2020."* It would appear sensible if the 'question date' post-dated the 'rebuttal date', as the rebuttal evidence is likely to help define the scope and nature of the questions. Is the Panel able to rectify?

- a. I think the timeframe precludes changing these dates. We have signalled that submitters can raise any remaining issues with the panel (Bullet 9.14), but perhaps we need to provide a mechanism for how 'the Chair may put questions

raised by another submitter to a submitter or expert' (bullet 12.4)? Questions should be submitted in writing to the hearings administrator?

The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first instance). I don't see an issue with the timeframe. I agree

5. The Panel has made several references to time constraints, and as far as obligations on submitters are concerned it has indicated that: *"In general, submitters will have 10 minutes to present to the Hearing Panel followed by 5 minutes of questions."* Can the Panel please indicate what its expectations of PCC staff, and its experts, are in this regard?

a. I presume PCC will need more than ten minutes to present their case! Can we say something like 'the Panel are working with the hearings administrator and PCC to identify the time required for the PCC to present its case'?

Councils don't always present a 'case' although it is more common. I think this suggestion is a good one, I would have thought it's easily a 1/2 day for Counsel + witnesses + our questions to briefly move through the PC and expert evidence...? I agree – the Council will have longer than 10 minutes! but has the whole plan to cover. As is made clear if submitters want longer they may ask and we will consider. We will know the likely PCC time requirements after we get the s42A report.

Happy to discuss...

Martin

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>

Sent: Wednesday, 12 August 2020 12:40 PM

To: David Allen <xxxxx.xxxxxx@xxxxxxxxxxxxxxx.xxx>; Miria Pomare <[REDACTED]>; Martin Neale <[REDACTED]>; Ian Munro <[REDACTED]>; Nicki Williams <[REDACTED]>

Subject: Plan Change 18: Plimmerton Farm - question from submitter

Good afternoon

In response to the memo to submitters, from the Friend of Submitters, we have received the following questions from submitter #107 (and further submitter #4) [REDACTED].

Emily Bayliss has requested the questions be directed to the Panel.

Please refer to the email chain below and advise how you would like me to respond.

Ngā mihi,

Maria Joslin

From: [REDACTED]
To: [Maria Joslin](#)
Cc: [Friend of Submitters PC18](#); [REDACTED]
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm
Date: Saturday, 15 August 2020 3:50:36 PM
Attachments: [image001.png](#)

Hello Maria

Thanks for your responses to my queries. Unfortunately I'm still a little confused about how the hearing arrangements might apply to the particular scenario I am thinking of.

If you could provide clarity that would be appreciated.

The scenario can be summarised as follows:

- a. I am someone who would (all other things being equal) be considered as an expert – let's say in – an expert in Area A;
- b. I am a submitter with respect to PC18;
- c. In my submission I noted concerns about various matters, let's call these Area A, Area B and Area C;
- d. If I hadn't made a submission I might be in the position of being called by another submitter who wanted expert representation in respect of matters relating to Area A;
- e. I want to participate in the PC18 proceedings to the extent possible and reasonable to help achieve good outcomes;
- f. I believe that I am not to be categorised as an 'independent expert' as a result of Point (c) impacting on my status under Point (a);
- g. I am entitled to engage experts to assist with my case;
- h. Those experts, if they are suitably qualified and experienced in Area B or Area C are able to be viewed as being independent and impartial, and therefore treated as being expert witnesses;
- i. According to the Panel's directions, the experts witnesses referred to in (h) above are required to attend expert witness conferencing (Clause 8.3 of the Panel's directions);
- j. According to the Panel's directions, I am not able attend expert witnessing conferencing (Clause 8.3 of the Panel's directions) because I'm not considered to be independent and impartial; but,
- k. I am also not able to attend 'pre-hearing conferencing' as referred to in Clause 8.2 because that option **is only available for submitters 'not calling expert evidence'**

-
I'm sure I've not interpreted the Panel's directions correctly because it would seem contrary to the principles of public participation in Resource Management decision-making if a submitter was to be excluded from engaging in processes with outcomes applicable to multiple areas of interest simply because they have engaged an expert in only one of those areas. So while my expert is able to 'expert conference' with colleagues in Area B or Area C (as the case may be), I am not able to contribute to any 'round-table' discussion at a pre-hearing meeting about Area A (which is my interest).

I'm finding this situation quite confusing, and I'm concerned that I won't be able to effectively participate in the process despite my interest, my expertise, and my experience.

Hopefully you'll be able to clarify the situation for me, and confirm that I am able to attend the

pre-hearing meeting.

Regards

[REDACTED]

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 14 August 2020 10:44 AM
To: [REDACTED] >
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Kia ora [REDACTED]

In response to your questions regarding expert and lay evidence for Plan Change 18, the Hearing Panel have advised:

- An expert witness is a qualified and experienced professional appearing on behalf of a submitter and who provides an independent and impartial opinion.
- Submitters who have expert qualifications but intend to represent themselves in their personal capacity as a submitter are not independent and impartial and cannot provide expert evidence.
- Lay submitters are people who wish to give the panel their own personal opinions as residents, individuals or members of a group or a community, but who are not intending to provide the panel with independent expert evidence based on them having expert qualification or experience and being called on behalf of a submitter or the Council.

For clarity, the pre-hearing meetings are intended for submitters only, and the expert conferences are intended for expert witnesses only. Any experts wishing to attend the pre-hearing meetings must seek agreement from the Panel first, as per paragraph 8.2 of Minute 1. Please feel free to contact me should you have any further questions.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED]
Sent: Wednesday, 12 August 2020 10:36 AM
To: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Cc: Submissions <xxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx>; [REDACTED]
Subject: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

From: [Brian Warburton](#)
To: [Maria Joslin](#)
Cc: [Friend of Submitters PC18](#)
Subject: [EXTERNAL] Plan Change 18: Plimmerton Farm - Hearing Directions - Questioning Experts
Date: Saturday, 15 August 2020 4:35:35 PM
Attachments: [image001.png](#)

Hello again Maria

Your replies to my request for clarification about the PC18 hearing management (as I've recorded below) require me to ask for supplementary information

As noted in Point 4 of my email yesterday:

- You have said: *"The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors"*
- Whereas the Panel has said in its direction: *"Any submitter may provide written question of the experts ..."*.

Clearly the Panel expects questions to be asked of **any** expert called by **any** party to the proceedings.

The contradictions between the Panel's minutes and your email are so significant that I'm struggling to believe that your email accurately reflects the Panel's response to my queries.

I wonder if it's possible that the Panel's response has not been accurately relayed to me via your email.

Can you please provide me with a copy of the document containing the actual Panel's responses to my requests in my email dated 7 August 2020.

Please treat this request for council information with urgency.

Thanks

Brian Warburton

From: Brian Warburton <[REDACTED]>
Sent: Friday, 14 August 2020 2:53 p.m.
To: 'Maria Joslin' <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Cc: 'Friend of Submitters PC18' <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Thank you Maria for attending to my requests.

I'm sorry but there are still some areas where things are not clear to me. If you could provide clarification that would be appreciated. My comments and requests are in red below.

Thanks

Brian Warburton

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 14 August 2020 10:46 a.m.
To: Brian Warburton <[REDACTED]>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx_>
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Kia ora Brian

In response to your questions regarding clarification of directions in Minute 1, the Hearing Panel have advised:

1. The Council officer's s.42A report is due 21 August 2020 and paragraph 7.1 of the minute clearly states that it will include any expert evidence for the Council. The later date of 28 August is to allow submitters time to identify where experts are wanted and to advise the panel so that any issues or contentious areas can be identified and expert conferencing can be directed in those areas.

Thanks for this clarification. I was wanting to ensure that Clause 7.1 and 9.3 were linked, as now confirmed.

2. The list of experts and the respective parties is for the benefit of the Hearing Panel and administration and as such will not be published on the website.

Can you please clarify? I was anticipating that the list of experts would be made available to all other parties to the proceedings. Sharing this information would, for example, facilitate the consultation between experts referred to in Clause 9.7.

3. The report following the pre-hearing meetings is due to be provided to the Hearing Administrator by Monday 28th September. The panel has agreed to make this available on the website as soon as is practicable, after being received.

Thanks for this clarification.

4. The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first instance). The timeframe remains as set out in the minute.

With respect, I don't think this is what is provided for in the Panel's minute, and realistically allowing a submitter to ask another submitter a question is not going to be as fruitful and informative as allowing a submitter to ask experts (either acting for the council or for a submitter) questions. The minute says: "Any submitter may provide written question of the experts ..." 'Experts' is not confined to those only acting for submitters. Can you please clarify?

5. The Panel are working with the Hearing Administrator and the Council to identify the time required for the Council's presentation. The time requirements will be clearer once the s.42A report has been received.

Thanks for this clarification.

Please feel free to contact me should you have any further questions.

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Plan Change 18: Plimmerton Farm - Hearing Directions [BUD-LIVE.FID949574]
Date: Monday, 17 August 2020 2:33:53 PM
Attachments: [image004.png](#)
[image001.png](#)

Hi Maria,

Comments below in **green**. The answer should resolve his second question/email too. Sorry on that my bad with the wording of the last email.

For any OIA request remember there is a hearing underway – you may wish to check the exemptions as I think there is one for hearings etc.

Cheers,

David

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: 17 August 2020 09:53
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx>
Subject: FW: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Good morning David

Here is the first response received from Brian Warburton.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: Brian Warburton <[\[REDACTED\]](mailto:)>
Sent: Friday, 14 August 2020 2:53 PM

To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx_>
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Thank you Maria for attending to my requests.

I'm sorry but there are still some areas where things are not clear to me. If you could provide clarification that would be appreciated. My comments and requests are in red below.

Thanks

Brian Warburton

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 14 August 2020 10:46 a.m.
To: Brian Warburton <[REDACTED]>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx_>
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm - Hearing Directions

Kia ora Brian

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1. The Council officer's s.42A report is due 21 August 2020 and paragraph 7.1 of the minute clearly states that it will include any expert evidence for the Council. The later date of 28 August is to allow submitters time to identify where experts are wanted and to advise the panel so that any issues or contentious areas can be identified and expert conferencing can be directed in those areas.

Thanks for this clarification. I was wanting to ensure that Clause 7.1 and 9.3 were linked, as now confirmed.

2. The list of experts and the respective parties is for the benefit of the Hearing Panel and administration and as such will not be published on the website.

Can you please clarify? I was anticipating that the list of experts would be made available to all other parties to the proceedings. Sharing this information would, for example, facilitate the consultation between experts referred to in Clause 9.7. That sharing can occur once evidence has been filed. It may be that the Panel decides to share sooner but that is not the present intention.

3. The report following the pre-hearing meetings is due to be provided to the Hearing Administrator by Monday 28th September. The panel has agreed to make this available on the website as soon as is practicable, after being received.

Thanks for this clarification.

4. The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Plan Change 18: Plimmerton Farm - Hearing Directions [BUD-LIVE.FID949574]
Date: Monday, 17 August 2020 2:58:35 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Perfect thanks!!

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xx>
Sent: 17 August 2020 14:55
To: David Allen <xxxxx.xxxxxx@xxxxxxxxxxxxx.xx>
Subject: RE: [EXTERNAL] Plan Change 18: Plimmerton Farm - Hearing Directions [BUD-LIVE.FID949574]

Hi David

Thanks for your email. Here is my draft reply to Brian, please confirm this is okay to send:

Kia ora Brian

Thank you for your emails over the weekend, both of which I have forwarded to the Hearing Panel chairperson today.

For clarification, the wording of the email I sent to you on Friday was approved by the Hearing Panel chairperson before it was sent.

Following is the Hearing Panel's response to your most recent questions (in green):

2. The list of experts and the respective parties is for the benefit of the Hearing Panel and administration and as such will not be published on the website.

Can you please clarify? I was anticipating that the list of experts would be made available to all other parties to the proceedings. Sharing this information would, for example, facilitate the consultation between experts referred to in Clause 9.7. That sharing can occur once evidence has been filed. It may be that the Panel decides to share sooner but that is not the present intention.

4. The purpose of this mechanism was for submitters to be able to question each other as a substitute to cross examination, not as a means of questioning again the Council's assessors (as their own expert evidence should address that as well as the s.42A report in the first instance). The timeframe remains as set out in the minute.

With respect, I don't think this is what is provided for in the Panel's minute, and realistically allowing a submitter to ask another submitter a question is not going to be as fruitful and informative as allowing a submitter to ask experts (either acting for the council or for a submitter) questions. The minute says: "Any submitter may provide written question of the experts ..." 'Experts' is not confined to those only acting for submitters. Can you please clarify? You are correct – the questioning process allows any party to provide written questions to any expert that has submitted evidence.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Sent: Monday, 17 August 2020 2:34 PM
To: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] Plan Change 18: Plimmerton Farm - Hearing Directions [BUD-LIVE.FID949574]

Hi Maria,

Comments below in green. The answer should resolve his second question/email too. Sorry on that my bad with the wording of the last email.

For any OIA request remember there is a hearing underway – you may wish to check the exemptions as I think there is one for hearings etc.

Cheers,

David

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: 17 August 2020 09:53

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm [BUD-LIVE.FID949574]
Date: Monday, 17 August 2020 2:47:59 PM
Attachments: [image005.png](#)
[image001.png](#)

Again comments in **green** below.

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxxx>
Sent: 17 August 2020 09:55
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxxx>
Subject: FW: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Hi David

Here is the response from [REDACTED].

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako



Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED]
Sent: Saturday, 15 August 2020 3:50 PM
To: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxxx>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxx>;
[REDACTED]
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Hello Maria

Thanks for your responses to my queries. Unfortunately I'm still a little confused about how the

hearing arrangements might apply to the particular scenario I am thinking of.

If you could provide clarity that would be appreciated.

The scenario can be summarised as follows:

- a. I am someone who would (all other things being equal) be considered as an expert – let's say in – an expert in Area A;
- b. I am a submitter with respect to PC18;
- c. In my submission I noted concerns about various matters, let's call these Area A, Area B and Area C;
- d. If I hadn't made a submission I might be in the position of being called by another submitter who wanted expert representation in respect of matters relating to Area A;
- e. I want to participate in the PC18 proceedings to the extent possible and reasonable to help achieve good outcomes;
- f. I believe that I am not to be categorised as an 'independent expert' as a result of Point (c) impacting on my status under Point (a); **Correct**.
- g. I am entitled to engage experts to assist with my case; **Correct**
- h. Those experts, if they are suitably qualified and experienced in Area B or Area C are able to be viewed as being independent and impartial, and therefore treated as being expert witnesses; **Correct**
- i. According to the Panel's directions, the experts witnesses referred to in (h) above are required to attend expert witness conferencing (Clause 8.3 of the Panel's directions); **Correct**
- j. According to the Panel's directions, I am not able attend expert witnessing conferencing (Clause 8.3 of the Panel's directions) because I'm not considered to be independent and impartial; **Correct** but,
- k. I am also not able to attend 'pre-hearing conferencing' as referred to in Clause 8.2 because that option **is only available for submitters 'not calling expert evidence'** **Correct – if you are calling an expert then they will conference and the parties do not attend the pre-hearing conference.**

I'm sure I've not interpreted the Panel's directions correctly because it would seem contrary to the principles of public participation in Resource Management decision-making if a submitter was to be excluded from engaging in processes with outcomes applicable to multiple areas of interest simply because they have engaged an expert in only one of those areas. So while my expert is able to 'expert conference' with colleagues in Area B or Area C (as the case may be), I am not able to contribute to any 'round-table' discussion at a pre-hearing meeting about Area A (which is my interest). **A good point, the focus for the panel is that lay/expert discussions are kept separate to enable the best outcomes to be achieved. If you do not wish to call expert evidence on Area A that is your call. You may attend the PHC on Area A but that discussion is not an expert discussion – it is a lay person discussion with the aim to resolve or narrow issues. If there is a particular matter of significance to you the best avenue will be to present it to the panel, not during a PHC.**

I'm finding this situation quite confusing, and I'm concerned that I won't be able to effectively participate in the process despite my interest, my expertise, and my experience. OK we **You will not be able to participate as an expert in the process. But you may participate appropriately at a PHC (in accordance with the directions) and present to the panel during the hearing.**

Hopefully you'll be able to clarify the situation for me, and confirm that I am able to attend the pre-hearing meeting.

Regards

[REDACTED]

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Sent: Friday, 14 August 2020 10:44 AM
To: [REDACTED] >
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Kia ora [REDACTED]

In response to your questions regarding expert and lay evidence for Plan Change 18, the Hearing Panel have advised:

- An expert witness is a qualified and experienced professional appearing on behalf of a submitter and who provides an independent and impartial opinion.
- Submitters who have expert qualifications but intend to represent themselves in their personal capacity as a submitter are not independent and impartial and cannot provide expert evidence.
- Lay submitters are people who wish to give the panel their own personal opinions as residents, individuals or members of a group or a community, but who are not intending to provide the panel with independent expert evidence based on them having expert qualification or experience and being called on behalf of a submitter or the Council.

For clarity, the pre-hearing meetings are intended for submitters only, and the expert conferences are intended for expert witnesses only. Any experts wishing to attend the pre-hearing meetings must seek agreement from the Panel first, as per paragraph 8.2 of Minute 1. Please feel free to contact me should you have any further questions.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Wednesday, 12 August 2020 10:36 AM
To: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Cc: Submissions <xxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>; xxxxxxxxxx@xxxx.xx.xx

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm [BUD-LIVE.FID949574]
Date: Tuesday, 18 August 2020 9:38:43 AM
Attachments: [image002.png](#)
[image003.png](#)
[image005.png](#)

Thanks Maria, a few minor tweaks and good to go.

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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xxxxx.xxxxx@xxxxxxxxxxxxx.xx www.buddlefindlay.com



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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Sent: 18 August 2020 09:34
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Subject: FW: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm [BUD-LIVE.FID949574]

Hi David

Did you get a chance to look at this reply to [REDACTED]? I just want to get your okay on it before I send back to her.

Thank you.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: Maria Joslin
Sent: Monday, 17 August 2020 3:10 PM
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm [BUD-LIVE.FID949574]

Hi David

Thanks for your reply.

Here is a draft response to [REDACTED]. Please confirm this is okay to send:

Kia ora [REDACTED]

Thank you for your email.

I have forwarded this to the Hearing Panel chairperson today, and following are the responses (in green):

- a. I am someone who would (all other things being equal) be considered as an expert – let's say in – an expert in Area A;
- b. I am a submitter with respect to PC18;
- c. In my submission I noted concerns about various matters, let's call these Area A, Area B and Area C;
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- e. I want to participate in the PC18 proceedings to the extent possible and reasonable to help achieve good outcomes;
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- g. I am entitled to engage experts to assist with my case; **Correct**
- h. Those experts, if they are suitably qualified and experienced in Area B or Area C are able to be viewed as being independent and impartial, and therefore treated as being expert witnesses; **Correct**
- i. According to the Panel's directions, the experts witnesses referred to in (h) above are required to attend expert witness conferencing (Clause 8.3 of the Panel's directions); **Correct**
- j. According to the Panel's directions, I am not able attend expert witnessing conferencing (Clause 8.3 of the Panel's directions) because I'm not considered to be independent and impartial; **Correct** but,
- k. I am also not able to attend 'pre-hearing conferencing' as referred to in Clause 8.2 because that option **is only available for submitters 'not calling expert evidence'** **Correct – if you are calling an expert then they will conference and the parties do not attend the pre-hearing conference.**

I'm sure I've not interpreted the Panel's directions correctly because it would seem contrary to the principles of public participation in Resource Management decision-making if a submitter was to be excluded from engaging in processes with outcomes applicable to multiple areas of interest simply because they have engaged an expert in only one of those areas. So while my expert is able to 'expert conference' with colleagues in Area B or Area C (as the case may be), I am not able to contribute to any 'round-table' discussion at a pre-hearing meeting about Area A (which is my interest). **A good point, the focus for the panel is that lay/expert discussions are kept separate to enable the best outcomes to be achieved. If you do not wish to call expert evidence on Area A that is your call. You may attend the PHC on Area A but that discussion is not an expert discussion – it is a lay person discussion with the aim to resolve or narrow submitter issues. If there is a particular matter of significance to you and you want to fully test the material/evidence the best avenue will be to present it to the panel, not during a PHC.**

I'm finding this situation quite confusing, and I'm concerned that I won't be able to effectively

participate in the process despite my interest, my expertise, and my experience. You will not be able to participate as an expert in the process. But you may participate appropriately at a PHC (in accordance with the directions and comments above) and present to the panel during the hearing.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Sent: Monday, 17 August 2020 2:48 PM
To: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx.xx>
Subject: RE: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm [BUD-LIVE.FID949574]

Again comments in green below.

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx.xx>
Sent: 17 August 2020 09:55
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Subject: FW: [EXTERNAL] Fwd: Plan Change 18: Plimmerton Farm

Hi David

Here is the response from [REDACTED].

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: [EXTERNAL] RE: Question from the FoS on behalf of Submitters for the Panel [BUD-LIVE.FID949574]
Date: Tuesday, 25 August 2020 10:59:58 PM
Attachments: [image002.png](#)
[image003.png](#)

Thanks Maria,

Comments in red below. If Emily needs to call let me know and her number and I will call her.

Cheers

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <[x@xx](#)>
Sent: 25 August 2020 10:32
To: David Allen <[x@xx](#)>
Subject: FW: Question from the FoS on behalf of Submitters for the Panel

Hi David

Thank you for your note that you are in Court today.

Please see below a question from the Friend of Submitters, for your response when you are able to.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: Friend of Submitters PC18
Sent: Tuesday, 25 August 2020 10:24 AM
To: Maria Joslin <[x@xx](#)>
Subject: Question from the FoS on behalf of Submitters for the Panel

Morena Maria,

I write on behalf of some confused lay submitters to seek clarification from the Panel about points 9.1 - 2 of Minute 1, which state;

9.1 Any submitter who intends to present lay evidence at the hearing is to provide a copy of it to the Hearing Administrator by 3pm 11 September 2020.

9.2 Lay evidence should list the key issues being addressed, address those key issues in turn, address matters identified in the s42A report and in s32AA of the RMA ...

If a lay submitter simply wishes to present an abridged version of their submission (noting the time limits at 11.7, the s42A, the requirements of s32AA, inter alia), would this be required to be submitted by the 11th of Sept? **No. The focus is on substantive material – we want to try and avoid people turning up at the hearing with hundreds of pages (or even 20) of new documents and information.** I note point 12.2 allows submitters to tender documents prior to their respective time slot - what is the distinction between material required to be submitted under 9.1 vs 12.2, with respect to lay submitters? If it assists in clarifying matters, I would be pleased to have a brief discussion with the Panel Chair via phone, if appropriate.

With warm regards,

Emily

Emily Bayliss

Friend of Submitters PC18

021 532 284

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From: [Friend of Submitters PC18](#)
To: [Maria Joslin](#)
Subject: Re: Question from the FoS on behalf of Submitters for the Panel
Date: Friday, 28 August 2020 9:46:51 AM
Attachments: [image001.png](#)

Hi Maria,

Thanks for sending David's response through - no need for a follow up phone call - that's very clear!

Thanks and have a great weekend,

Regards,

Emily

Emily Bayliss
Friend of Submitters PC18
021 532 284

From: Maria Joslin <~~x@xxx~~>
Sent: Wednesday, August 26, 2020 2:24 PM
To: Friend of Submitters PC18 <~~x@xxx~~>
Subject: RE: Question from the FoS on behalf of Submitters for the Panel

Kia ora Emily

Here is the reply from the Panel Chairperson to your question below:

No. The focus is on substantive material – we want to try and avoid people turning up at the hearing with hundreds of pages (or even 20) of new documents and information.

David is happy to give you a call to discuss by phone. Shall I ask him to do that?

Ngā mihi,

Maria Joslin
Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [Andrew Cumming](#)
To: [Submissions](#)
Subject: RE: [EXTERNAL] Agenda item
Date: Tuesday, 1 September 2020 5:12:14 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Hi Maria

Any agreed position coming out of the pre-hearing meetings would be reported to the Hearing Panel for its consideration. Only the Hearing Panel has the authority to make (recommended) decisions on behalf of the Council.

The Hearing Panel Minute 1 requires that the chair of the pre-hearing meetings prepare a report that would include:

8.1(d)(iii) record of areas of agreement and disagreement (including reasons) and for any areas of disagreement recording where issues have been narrowed;

[Drew Cumming](#)

Environment and City Planning: Major Projects

[porirucity](#)

027 461 0364
porirucity.govt.nz

From: Submissions <[@xxx](#)>
Sent: Tuesday, 1 September 2020 2:19 pm
To: Andrew Cumming <[@xxx](#)>
Subject: FW: [EXTERNAL] Agenda item

Hi Drew

Please see question raised below from [REDACTED].

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: David Allen <[@xx](#)>
Sent: Tuesday, 1 September 2020 1:55 PM

To: Submissions <x@xx>

Subject: RE: [EXTERNAL] Agenda item

Hi Maria,

This is a council delegations issue that Drew will be able to answer – alas I do not know their delegations.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Submissions <x@xx>

Sent: 1 September 2020 13:06

To: David Allen <x@xx>

Subject: FW: [EXTERNAL] Agenda item

Hi David

Are you able to answer this question from [REDACTED] please?

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >

Sent: Monday, 31 August 2020 4:44 PM

To: Submissions <x@xx>

Subject: [EXTERNAL] Agenda item

Can you please add this as an agenda item.

Who has authority to sign off on submissions agreement at the Pre-hearing meeting? The submitters or the Pre-meeting Chairperson or PCC staff/contractors/PFD employees?

Presuming agreement at the Prehearing Meeting is possible, do council staff/council contractors/ PDL consultants have the authority to sign on behalf of the Council and if not why not.

If they do have that authority on whose behalf are they signing: PCC or PDL.

regds

--

ph [REDACTED]

e mail [REDACTED]

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From: [Maria Joslin](#)
To: [REDACTED]
Subject: PC18-89 - Agenda item
Date: Wednesday, 2 September 2020 10:30:47 AM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Thank you for your email. I have noted your item for the agenda for the facilitator to consider.

In answer to your question:

Any agreed position coming out of the pre-hearing meetings would be reported to the Hearing Panel for its consideration. Only the Hearing Panel has the authority to make (recommended) decisions on behalf of the Council.

The Hearing Panel Minute 1 requires that the chair of the pre-hearing meetings prepare a report that would include:

8.1(d)(iii) record of areas of agreement and disagreement (including reasons) and for any areas of disagreement recording where issues have been narrowed;

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Monday, 31 August 2020 4:44 PM
To: Submissions <[@xxx](#)>
Subject: [EXTERNAL] Agenda item

Can you please add this as an agenda item.

Who has authority to sign off on submissions agreement at the Pre-hearing meeting? The submitters or the Pre-meeting Chairperson or PCC staff/contractors/PFD employees?

Presuming agreement at the Prehearing Meeting is possible, do council staff/council contractors/ PDL consultants have the authority to sign on behalf of the Council and if not why not.

If they do have that authority on whose behalf are they signing: PCC or PDL.

regds

--

[REDACTED]

ph [REDACTED]

e mail [REDACTED]

Cc: [REDACTED] >
Subject: [EXTERNAL] Pre hearings - concerns arising

Friends of Taupo Swamp & Catchment Inc.

Greetings Emily
CC [REDACTED], Maria Joslin

Today is the deadline by which submitters have to provide more information to Maria Joslin.

You may be aware that Friends of Taupo swamp & Catchment represents a varied & growing voluntary support base from all around New Zealand. We are in regular contact with those on our database as we are managing an extensive restoration project in the PCC owned part of the Taupo Swamp Wetlands.

We were very activated in the run up to the submission process and we were overwhelmed by the messages we were getting about the issues around the proposed plan change. In order to cope with this we set up a dedicated page on our website so that concerned members of the public had somewhere to go and could make informed choices about a their possible submission. <https://www.tauposwamp.org/plimmerton-farm-development>
Certainly, for the hundreds of volunteers working in this year's clearing and planting at the centre of the catchment this was a hot topic of conversation.

Many of those people, for the first time in their lives, went ahead and made a submission on an issue felt very deeply, and/ or gave feedback on our FOTSC drafts.

Now we (FOTSC) find ourselves in the position of having to support people as they read about what is required of them in a pre-hearing process, sprung on them last week, again accompanied by lengthy and detailed "homework" as they start to digest the contents of the s42A report. AND to begin to come to terms as to what might be required of them at the pre hearings.

The prospect of 'providing written notice in advance... giving reasons why they cannot attend' (the pre hearings which they had no idea about until last week), has meant that a number of lay submitters may now withdraw their involvement in this process because they sense an adversarial approach - which some see as impartial. Whilst we acknowledge that they can come to you for support and advice Emily, for some, the latest request for mandatory attendance at a fixed time and date might well prove a step too far. (Covid level 2 aside...)

This heavy handed language coming down from on high has the potential to have very unfortunate consequences as we see it. This process was, we realise, directed by the Panel. However, we take issue with the manner in which Porirua City Council (the driver of the plan change) has relayed this to lay submitters.

With this in mind, if the pre hearing meetings are designed to reach some kind of consensus amongst submitters, (are they? in the space of 7 hours) then the process has already failed because people are now considering pulling out.

The Panel needs to be made aware of this.

FOTSC then asks, what is the point of the pre hearing process? What are the desired outcomes? -

we have not seen those stated anywhere. Why should we go to the trouble of attending? What advantage would attendance give the many lay submitters who have already responded with time & not inconsiderable effort to what is a local issue of unprecedented importance? - This is what we are hearing.

The FOTSC executive committee would like these points noted.

Thank you

Your sincerely

[REDACTED]

[REDACTED]

On behalf of FOTSC membership

From: [Maria Joslin](#)
To: [REDACTED]
Subject: PC18-107 experts & evidence
Date: Wednesday, 2 September 2020 11:55:21 AM
Attachments: [image001.png](#)

Kia ora [REDACTED]

In your email below you seek permission for Mr Thompson's statement to be tabled.

I have raised this with the Hearing Panel Chairperson, who advises the following:

If you wish to call Mr Thompson as an expert witness, he will need to attend the expert conferencing on wetland ecology. Otherwise, you may table a statement from him, but not as expert evidence.

Please could you confirm whether Mr Thompson will file expert evidence and attend the expert conferencing, or whether you will be filing a statement from him to be tabled at the hearing.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

poriruacity

Tel: (04) 237 3863
porirua.govt.nz

From: [REDACTED]
Sent: Friday, 28 August 2020 1:33 PM
To: Plimmerton Farm feedback <xxxxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.xx>; Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>
Cc: [REDACTED]
Subject: [EXTERNAL] PANEL's MINUTE - PROPOSED CHANGE to the DISTRICT PLAN – PLIMMERTON FARM

Hello District Plan Policy Team, PCC

I refer to the Proposed Plan Change 18 – Plimmerton Farm, and the Panel's Minute #1 dated 6 August 2020.

At Clause 9.3 of the Minute, the Panel has asked submitters to provide details about expertise that will be used in the presentation of the submitter's case.

In this respect I advise that I intend drawing on the following expertise:

Name	Robyn Smith	Brian Warburton	Keith Thompson
Expertise	Biodiversity Habitat restoration Wetland and terrestrial ecology	Resource management planning	Wetland ecology
Role	I will make a presentation relating to my areas of expertise and interest	I have asked Mr Warburton to prepare planning evidence	I have asked Mr Thompson to prepare a statement of professional opinion

			relating to his area of expertise. I seek permission for Mr Thompson's statement to be tabled.
Email address	[REDACTED]	[REDACTED]	[REDACTED]
Phone number	0274 372 497	029 479 6755	021 945 252

Please let me know if there any further procedural matters I need to attend to at this stage.

Regards

[REDACTED]

From: [REDACTED] >
Sent: Tuesday, 28 July 2020 9:49 AM
To: 'xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx' < xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx >
Cc: [REDACTED] >
Subject: FURTHER SUBMISSION on PROPOSED CHANGE to the DISTRICT PLAN – PLIMMERTON FARM

Hello District Plan Policy Team, PCC.

Here are my further submissions on proposed district plan change No. 18. These further submissions relate to the primary submissions of:

- Greater Wellington Regional Council – submission 49
- Plimmerton Development Limited - submissions 15 & 78
- Royal Forest and Bird Protection Society - submission 117
- National Wetland Trust of NZ - submission 60

I confirm that I will be providing a copy of the further submissions to these parties.

Please confirm receipt of these further submissions.

I look forward to further participation in this process.

[REDACTED]

From: [REDACTED]
Sent: Thursday, 2 July 2020 3:08 PM
To: xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx
Cc: [REDACTED]
Subject: SUBMISSION on PROPOSED CHANGE to the DISTRICT PLAN – PLIMMERTON FARM

Hello District Plan Policy Team, PCC.

Here is my submission on proposed district plan change No. 18.

The attached is a compressed document to facilitate electronic transfer.

An uncompressed copy is accessible here:

<https://www.dropbox.com/s/m4jhazqvuv3q4m/Porirua%20District%20Plan%20Change%2018%20-%20Submission%20-%20R%20A%20Smith.pdf?dl=0>

Please confirm receipt of this submission.

I look forward to further participation in this process.

██████████

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Plan Change 18 - Plimmerton Farm [BUD-LIVE.FID949574]
Date: Wednesday, 2 September 2020 4:43:42 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Maria,

No correspondence will be provided on the website. To the extent the Panel decides it necessary it will release Minutes as to requests and responses.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: 2 September 2020 16:25
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx>
Subject: FW: [EXTERNAL] Plan Change 18 - Plimmerton Farm

Re: request from [REDACTED]

From: Maria Joslin
Sent: Tuesday, 1 September 2020 12:07 PM
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx>
Subject: FW: [EXTERNAL] Plan Change 18 - Plimmerton Farm

Hi David

Please see below request from [REDACTED]. I don't feel very comfortable about this, and it certainly isn't regular practice at Porirua City Council. I don't think it's manageable, or necessarily appropriate to upload all correspondence to the website

What are your thoughts?

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

poriruacity

Tel: (04) 237 3863
porirua.govt.nz

From: [REDACTED] >
Sent: Tuesday, 1 September 2020 9:49 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Plan Change 18 - Plimmerton Farm

Hello Maria

Can you please arrange for correspondence to and from the Panel and relating to management and process matters to be uploaded to PCC's webpage. I understand this is quite normal for RMA proceedings of this nature. If parties ask the Panel about hearing management relating matters then it is quite likely that there will be other submitters who would also benefit from having things made clearer.

I look forward to your response.

Thanks

[REDACTED]

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From: [David Allen](#)
To: [Maria Joslin](#)
Subject: [EXTERNAL] RE: PC18 responses to submitters - follow up [BUD-LIVE.FID949574]
Date: Wednesday, 2 September 2020 4:22:40 PM
Attachments: [image002.png](#)
[image003.png](#)

Great thanks Maria,

Onto F&B and will email the Panel tomorrow on that.

Please resend [REDACTED]'s email

Please resend Ms [REDACTED]'s issue but no we will not post such correspondence on the web.

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <~~x@xx~~>
Sent: 2 September 2020 16:17
To: David Allen <~~x@xx~~>
Subject: PC18 responses to submitters - follow up

Kia ora David

There has been such a lot of correspondence during the last few days that I'm just running a check on enquiries from submitters that are still awaiting a response. Could you please confirm that you still have the following on your radar as needing a reply from either yourself or the panel collectively? And if not, please let me know so I can forward them on to you again:

- Joint memorandum of counsel from Forest & Bird and QEII National Trust received 27/08/20
- The email from [REDACTED] on behalf of the Friends of Taupo Swamp & Catchment received raising concerns around the process and purpose of the prehearing meetings received 01/09/2020
- The email from [REDACTED] asking that correspondence between submitters and the panel be posted to the website received 01/09/2020

Thank you.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirua.govt.nz

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From: [Andrew Cumming](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings [BUD-LIVE.FID949574]
Date: Wednesday, 2 September 2020 11:58:09 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Hi Maria

Here's a possible response to Ms [REDACTED].

Hi [REDACTED]

Yes, we understand the process is significant. It reflects the scale of the project and the issues involved.

I assure you that your submission will be read and taken into consideration by the Hearing Panel, regardless of whether you choose to appear at the hearing.

Mr Cumming, the planner acting for PCC, has advised me that the ecological assessment always signalled the need for further investigation regarding lizards. A Preliminary Assessment of Lizard Values has now been carried out by Graham Ussher. His report is available on the PC18 webpage <https://porirua.govt.nz/your-council/getting-involved/public-consultation/proposed-plan-change-18-plimmerton-farm/>. See also Dr Blaschke's statement of evidence (under Appendix 1 – Statements of Evidence), which discusses Mr Ussher's findings and the additional work that will be required at the resource consent stage.

The following submitters mentioned lizards:

PC18/5	Joel de Boer		[REDACTED]@gmail.com
PC18/16	Paul Callister		[REDACTED]@outlook.com
PC18/29	Theorem Analytics	Christopher McKoy	[REDACTED]@theorem.co.nz
PC18/70	Guy Marriage		[REDACTED]@vuw.ac.nz
PC18/81	Predator Free Pukerua Bay	Helli Ward	[REDACTED]@gmail.com
PC18/85	Charlotte Boys		[REDACTED]@gmail.com
PC18/86	Sally Odams		[REDACTED]@gmail.com
PC18/87	Heather Evans		[REDACTED]@gmail.com
PC18/90	Pene Burton Bell		[REDACTED]@gmail.com
PC18/107	Robyn Smith		[REDACTED]@xtra.co.nz
PC18/109	Nick Vincent		[REDACTED]@orcon.net.nz
PC18/117	Forest and Bird	Erika Toleman	x.xxxxxx@xxxxxxxxxxxxx.xxx.xx_
PC18/123	Robyn Moore		[REDACTED]@bambini.nz

I have copied this email to Emily Bayliss, the Friend of Submitters. Emily cannot act as a proxy but would be pleased to help you understand the process and how you can participate in a way that works best for you. For example, the pre-hearing meeting that will include ecological matters is an opportunity for submitters to meet and potentially work with like-minded people.

Drew Cumming

Environment and City Planning: Major Projects

poriruacity

027 461 0364
porirua.govt.nz

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Wednesday, 2 September 2020 9:52 am
To: Andrew Cumming <xxxxxx.xxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: FW: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings [BUD-LIVE.FID949574]

Hi Drew

Please see email chain below regarding concerns of this submitter ([REDACTED]).

Are you aware of any other submissions that might be relevant to hers re lizards?

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

poriruacity

Tel: (04) 237 3863
porirua.govt.nz

From: David Allen <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx ->
Sent: Wednesday, 2 September 2020 9:19 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings [BUD-LIVE.FID949574]

Hi Maria,

Unfortunately the process is significant reflecting the scale of the project and the issues involved.

Please as you say advise her that she can call/email Emily for assistance. Please also ask Drew/Tom if they can direct her to relevant lizard information / submissions.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>

Sent: 2 September 2020 09:13

To: David Allen <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx>

Subject: FW: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings

Hi David

Please see the below concerns from this submitter.

I understand that she is feeling overwhelmed by the process, but she has received all the communications including the memorandum from Emily Bayliss offering her assistance as Friend of Submitters.

I am happy to encourage her to contact Emily again. Also, I can enquire with Drew and Mary as to whether any other submissions have covered the native lizard.

Should we reassure her that her submission will still be read and considered if she is not present? Anything else you would like me to relay to her?

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] <[REDACTED]>

Sent: Tuesday, 1 September 2020 6:17 PM

To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>

Subject: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings

Greetings,

Firstly I apologise in advance for this negative response.

This process causes anxiety and is not simple to understand, which is a terrible indicator for someone attempting to be part of a so called democracy.

This process is far more complicated than it should be for one member of the public who has concerns for a specific native lizard.

I am surprised at the in depth requirements on one individual to have the simple issue of questioning why the developer or council has not had a herpetologist do multiple surveys for lizards.

Needing to be involved speaking alone in what seems a very formal meeting is not what I was led to believe was needed from me.

Of course I understand there is a great number of people who need to be organized to be at meetings, but it's not as simple as it should be.

I would like to know if there has been any other submissions relating to native lizards, and if so please either give them my email, or let me know how exactly I can support them. Or alternatively how a friend of submitters is utilised - even perhaps to be a proxy.

As a solo parent I am highly unlikely to be unable to attend any meeting after 2pm. If however there is no one else specifically bringing up lizards that will be bulldozed in this haste to push development through instead of taking the correct method law states is required then I need to know if my point wont be taken into consideration or responded if I'm not present.

Thanks for your time.

Kind regards



On Tue, 1 Sep 2020, 3:56 pm Maria Joslin, <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx> wrote:

Kia ora

I refer to the letter to submitters dated 24 August 2020 regarding the pre-hearing meetings for Plan Change 18: Plimmerton Farms (copy attached).

The letter requested specific information from those submitters who had indicated that they wish to be heard at the hearing. The information was requested to be provided by 31 August 2020, in order for the meetings to be organised effectively.

I have not yet received a response from you. Please could you confirm the following:

- confirmation of whether you still wish to be heard at the hearing in October – if you no longer wish to be heard at the hearing, your attendance at the pre-hearing meetings is not necessary;
- confirmation of whether you would be willing to make a joint presentation at the hearing in October, or, if you have already collaborated with other submitters for that purpose, details of the other submitter(s) you are collaborating with;
- confirmation of your availability to attend the respective pre-hearing meeting sessions that correspond with the substance of your submission as summarised in the table [in the attached letter]; and
- any agenda items you would like to be raised at the pre-hearing meetings which are not identified above, and the reason(s) for their inclusion.

If you have any questions, or require further clarification, please feel free to contact me.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings [BUD-LIVE.FID949574]
Date: Wednesday, 2 September 2020 9:19:25 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Maria,

Unfortunately the process is significant reflecting the scale of the project and the issues involved.

Please as you say advise her that she can call/email Emily for assistance. Please also ask Drew/Tom if they can direct her to relevant lizard information / submissions.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xx>
Sent: 2 September 2020 09:13
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xx>
Subject: FW: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings

Hi David

Please see the below concerns from this submitter.

I understand that she is feeling overwhelmed by the process, but she has received all the communications including the memorandum from Emily Bayliss offering her assistance as Friend of Submitters.

I am happy to encourage her to contact Emily again. Also, I can enquire with Drew and Mary as to whether any other submissions have covered the native lizard.

Should we reassure her that her submission will still be read and considered if she is not present? Anything else you would like me to relay to her?

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

From: [Maria Joslin](#)
To: [REDACTED]
Cc: [Friend of Submitters PC18](#)
Subject: PC18-137 Prehearing process
Date: Wednesday, 2 September 2020 12:07:04 PM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Thank you for your email and for raising your concerns.

Yes, we understand the process is significant. It reflects the scale of the project and the issues involved.

I assure you that your submission will be read and taken into consideration by the Hearing Panel, regardless of whether you choose to appear at the hearing.

Mr Cumming, the planner acting for PCC, has advised me that the ecological assessment always signalled the need for further investigation regarding lizards. A Preliminary Assessment of Lizard Values has now been carried out by Graham Ussher. His report is available on the PC18 webpage <https://porirua.govt.nz/your-council/getting-involved/public-consultation/proposed-plan-change-18-plimmerton-farm/>. See also Dr Blaschke's statement of evidence (under Appendix 1 – Statements of Evidence), which discusses Mr Ussher's findings and the additional work that will be required at the resource consent stage.

The following submitters mentioned lizards:

PC18/5	Joel de Boer		[REDACTED]@gmail.com
PC18/16	Paul Callister		[REDACTED]@outlook.com
PC18/29	Theorem Analytics	Christopher McKoy	[REDACTED]@theorem.co.nz
PC18/70	Guy Marriage		[REDACTED]@vuw.ac.nz
PC18/81	Predator Free Pukerua Bay	Helli Ward	[REDACTED]@gmail.com
PC18/85	Charlotte Boys		[REDACTED]@gmail.com
PC18/86	Sally Odams		[REDACTED]@gmail.com
PC18/87	Heather Evans		[REDACTED]@gmail.com
PC18/90	Pene Burton Bell		[REDACTED]@gmail.com
PC18/107	Robyn Smith		[REDACTED]@xtra.co.nz
PC18/109	Nick Vincent		[REDACTED]@orcon.net.nz
PC18/117	Forest and Bird	Erika Toleman	[REDACTED]@forestandbird.org.nz
PC18/123	Robyn Moore		[REDACTED]@bambini.nz

I have copied this email to Emily Bayliss, the Friend of Submitters. Emily cannot act as a proxy but would be pleased to help you understand the process and how you can participate in a way that works best for you. For example, the pre-hearing meeting that will include ecological matters is an opportunity for submitters to meet and potentially work with like-minded people.

If you have any further questions, please feel free to contact me again, and please do make use of the Friend of Submitters service if you are able to.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

From: [REDACTED] >
Sent: Tuesday, 1 September 2020 6:17 PM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Re: Plan Change 18: Plimmerton Farm Pre-Hearing Meetings

Greetings,

Firstly I apologise in advance for this negative response.

This process causes anxiety and is not simple to understand, which is a terrible indicator for someone attempting to be part of a so called democracy.

This process is far more complicated than it should be for one member of the public who has concerns for a specific native lizard.

I am surprised at the in depth requirements on one individual to have the simple issue of questioning why the developer or council has not had a herpetologist do multiple surveys for lizards.

Needing to be involved speaking alone in what seems a very formal meeting is not what I was led to believe was needed from me.

Of course I understand there is a great number of people who need to be organized to be at meetings, but it's not as simple as it should be.

I would like to know if there has been any other submissions relating to native lizards, and if so please either give them my email, or let me know how exactly I can support them. Or alternatively how a friend of submitters is utilised - even perhaps to be a proxy.

As a solo parent I am highly unlikely to be unable to attend any meeting after 2pm. If however there is no one else specifically bringing up lizards that will be bulldozed in this haste to push development through instead of taking the correct method law states is required then I need to know if my point wont be taken into consideration or responded if I'm not present.

Thanks for your time.

Kind regards

[REDACTED]

On Tue, 1 Sep 2020, 3:56 pm Maria Joslin, <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx> wrote:

| Kia ora

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: [EXTERNAL] RE: Pre hearings - concerns arising [BUD-LIVE.FID949574]
Date: Wednesday, 2 September 2020 9:11:23 PM
Attachments: [image004.png](#)
[image001.png](#)

Hi Maria,

Please respond:

Thank you for your email. Your points have been provided to, and noted by, the Panel Chair. The intent of the pre-hearing conference is to identify and try and narrow/resolve issues. There is a process for those who cannot make it but the Panel is keen for as many submitters as possible who wish to be heard to attend. Pre-hearing conferences are a common practice provided for in the RMA and can be efficient and successful. The Panel's Minute is directed at ensuring an efficient and fair hearing process. The Friend of Submitter is available to assist you, and your members who have submitted, to understand the process as required.

See specific comments below – FYI not for the email to FOTSC and to show points noted.

Cheers,

David

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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xxxxx.xxxxx@xxxxxxxxxxxxx.xx www.buddlefindlay.com



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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Sent: 2 September 2020 16:26
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Subject: FW: Pre hearings - concerns arising

Re: FOTSC concerns re process and prehearing meetings

From: Maria Joslin
Sent: Tuesday, 1 September 2020 12:04 PM
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxx>
Subject: FW: Pre hearings - concerns arising

Hi again David

Please refer to the email chain below, with concerns raised by Friends of Taupo Swamp & Catchment.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

poriruacity

Tel: (04) 237 3863
porirua.govt.nz

From: Friend of Submitters PC18
Sent: Tuesday, 1 September 2020 10:06 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: Pre hearings - concerns arising

Morena Maria,

Please see below email from FOTSC - would you please forward to the Panel for their perusal and comment, as appropriate?

With warm regards,

Emily Bayliss
Friend of Submitters PC18
021 532 284

From: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Sent: Tuesday, September 1, 2020 10:03 AM
To: [REDACTED] >
Subject: Re: [EXTERNAL] Pre hearings - concerns arising

Good Morning [REDACTED] and [REDACTED],

Thanks for your email. I'm just looking through Minute 1 and I can't see the deadline you are referring to, unless you are intending to call an expert witness at the hearing? Could you clarify which part of the Minute you are concerned with and perhaps we could discuss the implications further?

I have forwarded your concerns onto the Hearing Administrator so she can relay these to the Panel and provide a response to you. Happy to discuss further once we hear back from the Chair.

With warm regards,

Emily

to you for support and advice Emily, for some, the latest request for mandatory attendance at a fixed time and date might well prove a step too far. (Covid level 2 aside...) **Fine – all they have to do is say they cannot attend with a reason (for example due to COVID or they have work that day/child care etc that they cannot avoid) as per 8.1(f) of the Minute). The Panel wants submitters to attend in order to try and resolve issues and reduce hearing time.**

This heavy handed language coming down from on high has the potential to have very unfortunate consequences as we see it. This process was, we realise, directed by the Panel. However, we take issue with the manner in which Porirua City Council (the driver of the plan change) has relayed this to lay submitters. **The language is as it is for a hearing process.**

With this in mind, if the pre hearing meetings are designed to reach some kind of consensus amongst submitters, (are they? in the space of 7 hours) then the process has already failed because people are now considering pulling out.

The Panel needs to be made aware of this. Correct as to the intent – pulling out is up to submitters

FOTSC then asks, what is the point of the pre hearing process? What are the desired outcomes? - we have not seen those stated anywhere. Why should we go to the trouble of attending? What advantage would attendance give the many lay submitters who have already responded with time & not inconsiderable effort to what is a local issue of unprecedented importance? - This is what we are hearing. **The outcome is to raise and try and resolve/narrow issues to assist the Panel and reduce hearing time.**

The FOTSC executive committee would like these points noted. **Noted.**

Thank you

Your sincerely



On behalf of FOTSC membership

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voluntary support base from all around New Zealand. We are in regular contact with those on our database as we are managing an extensive restoration project in the PCC owned part of the Taupo Swamp Wetlands.

We were very activated in the run up to the submission process and we were overwhelmed by the messages we were getting about the issues around the proposed plan change. In order to cope with this we set up a dedicated page on our website so that concerned members of the public had somewhere to go and could make informed choices about a their possible submission. <https://www.tauposwamp.org/plimmerton-farm-development> Certainly, for the hundreds of volunteers working in this year's clearing and planting at the centre of the catchment this was a hot topic of conversation.

Many of those people, for the first time in their lives, went ahead and made a submission on an issue felt very deeply, and/ or gave feedback on our FOTSC drafts.

Now we (FOTSC) find ourselves in the position of having to support people as they read about what is required of them in a pre-hearing process, sprung on them last week, again accompanied by lengthy and detailed "homework" as they start to digest the contents of the s42A report. AND to begin to come to terms as to what might be required of them at the pre hearings.

The prospect of 'providing written notice in advance... giving reasons why they cannot attend' (the pre hearings which they had no idea about until last week), has meant that a number of lay submitters may now withdraw their involvement in this process because they sense an adversarial approach - which some see as impartial. Whilst we acknowledge that they can come to you for support and advice Emily, for some, the latest request for mandatory attendance at a fixed time and date might well prove a step too far. (Covid level 2 aside...)

This heavy handed language coming down from on high has the potential to have very unfortunate consequences as we see it. This process was, we realise, directed by the Panel. However, we take issue with the manner in which Porirua City Council (the driver of the plan change) has relayed this to lay submitters.

With this in mind, if the pre hearing meetings are designed to reach some kind of consensus amongst submitters, (are they? in the space of 7 hours) then the process has already failed because people are now considering pulling out.

The Panel needs to be made aware of this.

FOTSC then asks, what is the point of the pre hearing process? What are the desired outcomes? - we have not seen those stated anywhere. Why should we go to the trouble of attending? What advantage would attendance give the many lay submitters who have already responded with time & not inconsiderable effort to what is a local issue of unprecedented importance? - This is what we are hearing.

The FOTSC executive committee would like these points noted.

Thank you

Your sincerely



On behalf of FOTSC membership

From: [Maria Joslin](#)
To: [Brian Warburton](#)
Subject: RE: PC18-107 Expert conferencing attendees & evidence
Date: Tuesday, 15 September 2020 3:23:41 PM
Attachments: [image001.png](#)

Kia ora Brian

Thank you for your email.

I confirm that all the evidence received is now on the website.

We were expecting an additional brief from Greater Wellington Regional Council, for Pam Guest (on the list for the planning expert conference). But I have been advised they are no longer filing evidence from Ms Guest, and therefore she will not be attending the expert conference.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako



Tel: (04) 237 3863
porirucity.govt.nz

From: Brian Warburton <[REDACTED]>

Sent: Tuesday, 15 September 2020 10:23 AM

To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>

Subject: [EXTERNAL] RE: PC18-107 Expert conferencing attendees

Good morning Maria

I see that expert evidence has now been posted on the Council's website.

Can you please confirm that all persons who indicated that they would be presenting evidence (expert and lay) have now done so, and it is all on the website.

Thanks

Brian Warburton

From: [Jason Jones](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm
Date: Tuesday, 15 September 2020 3:21:44 PM
Attachments: [image001.png](#)

Thanks Maria

Jason Jones
Principal Consultant
Resource Management Group Ltd

M 021 079 8357
E [@xxx](#)
W www.rmgroup.co.nz

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Tuesday, 15 September 2020 3:20 PM
To: Jason Jones <xxxxx@xxxxxxxx.xx.xx>
Subject: FW: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm

Hi Jason

I've received this from [REDACTED], Submitter #45 & FS13. In response to the agenda sent.

Ngā mihi,

[Maria Joslin](#)
Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Tuesday, 15 September 2020 7:42 AM
To: Submissions <[xxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx](#)>
Subject: [EXTERNAL] RE: Plan Change 18: Plimmerton Farm

It would be very helpful if Mr Jones could explain the role of Councillors in this process.

The proposal is their strategy, the residents are their constituents. There is no point in residents debating with Officers about competing values.

[REDACTED]

From: [xxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx](#) [mailto:[xxxxxxxxxxx@xxxxxxxxxxxxx.xxxx.xx](#)]
Sent: Monday, 14 September 2020 4:17 pm
To: [REDACTED]

Subject: Plan Change 18: Plimmerton Farm

Kia ora

Please find attached some further information and the agendas for the Plan Change 18: Plimmerton Farm prehearing meetings scheduled for Wednesday and Thursday of this week.

Nga mihi,

Maria Joslin
Consultation Support Coordinator
Kairuruku Tautoko Akoako

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From: [Maria Joslin](#)
To: [REDACTED]
Subject: RE: [EXTERNAL] Submitters' Participation at Hearing
Date: Wednesday, 23 September 2020 10:13:00 AM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Both KiwiRail and PowerCo have withdrawn their wish to speak at the hearing.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Tuesday, 22 September 2020 5:37 PM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Submitters' Participation at Hearing

Hello Maria

I'm just working through some things relating to my presentation at the hearing etc.

I note that KiwiRail and PowerCo indicated (in their submissions) that they would be attending the hearing, but they are not on the list of attendees at the 'planning' expert conferencing.

I'm not sure what is happening here? Do KiwiRail and PowerCo (and maybe others) no longer intend to be at the hearing?

If you could clarify about the intentions of other parties that would be appreciated.

Regards

[REDACTED]

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] Plan Change 18 - Plimmerton Farm - Questions of Experts [BUD-LIVE.FID949574]
Date: Tuesday, 29 September 2020 10:25:57 AM
Attachments: [image002.png](#)
[image003.png](#)

Yes that is great thanks Maria – you have better things to do than screen questions

DAVID ALLEN | PARTNER | BUDDLE FINDLAY

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xxxxx.xxxxx@xxxxxxxxxxxxx.xx www.buddlefindlay.com



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From: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: 28 September 2020 10:53
To: David Allen <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx>
Subject: FW: [EXTERNAL] Plan Change 18 - Plimmerton Farm - Questions of Experts

Hi David

██████████ has asked the following question. I was going to advise her that I will simply be collating the questions and forwarding them to the panel and the appropriate experts.

Is there anything else you think I need to say?

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: ██████████ >
Sent: Saturday, 26 September 2020 10:00 AM
To: Maria Joslin <xxxxx.xxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Plan Change 18 - Plimmerton Farm - Questions of Experts

Hello Maria

At Clause 9.10 of the Panel's minute they advise that: "Any submitter may provide written

questions of the experts to the Hearing Administrator by 3pm 30 September 2020.”

Further to this, is it possible to get confirmation that questions will not be screened before being presented to the Panel.

Thanks

██████████

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From: [Maria Joslin](#)
To: [REDACTED]
Subject: RE: [EXTERNAL] Plan Change 18 - Plimmerton Farm - Questions of Experts
Date: Tuesday, 29 September 2020 10:35:32 AM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Thank you for your email.

I will simply be collating questions and forwarding them to the panel and the experts.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Saturday, 26 September 2020 10:00 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Plan Change 18 - Plimmerton Farm - Questions of Experts

Hello Maria

At Clause 9.10 of the Panel's minute they advise that: *"Any submitter may provide written questions of the experts to the Hearing Administrator by 3pm 30 September 2020."*

Further to this, is it possible to get confirmation that questions will not be screened before being presented to the Panel.

Thanks

[REDACTED]

From: [Maria Joslin](#)
To: [Brian Warburton](#)
Subject: RE: [EXTERNAL] PC 18 - Arrangements for Hearing - BWarburton
Date: Monday, 5 October 2020 9:49:23 AM
Attachments: [image001.png](#)

Kia ora Brian

Thank you for your email.

This request is simply so the presentations can be loaded into the projection system in the Chamber in advance of the hearing, so they are ready to go without technical difficulty on the day. They will not be available to anyone else except myself, as hearing administrator.

We are trying to ensure the hearing runs as efficiently as possible, so everyone is able to be heard on time and there are minimal delays due to technical problems.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

From: Brian Warburton <[REDACTED]>
Sent: Friday, 2 October 2020 10:13 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] PC 18 - Arrangements for Hearing

Good morning Maria

In your hearing notice you say this: *"If you have an electronic presentation to deliver, could you please email this to [x@xx](#) by 12 noon on Friday, 9 October so this can be loaded and ready before the hearing commences."*

Can you please confirm that PCC will not be making those presentations available to other parties including the experts and consultants working on the plan change, until the actual day of the presentation by the submitter concerned.

Thanks

Brian Warburton

From: [Maria Joslin](#)
To: [Andrew Cumming](#)
Subject: FW: PC18: Plimmerton Farm - Questions for Experts
Date: Tuesday, 6 October 2020 4:30:00 PM
Attachments: [image001.png](#)

Hi Drew

I've received this question from Fleur Matthews. There isn't any guidance from the panel on this currently, and as we won't have much time between the deadline for receiving the answers and the hearing commencing, I am wondering if we will just publish PDF versions of the answers as they are received?

There's not going to be a lot of time to collate questions and answers into one document is there?

I've suggested at this stage to respond in a memorandum format, pending any further guidance.

I'm out of the office tomorrow, but can get back to Fleur on Thursday if you have anything to add.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: Fleur Matthews <xxxxx.xxxxxxx@xx.xxxx.xx>
Sent: Tuesday, 6 October 2020 4:18 PM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] RE: PC18: Plimmerton Farm - Questions for Experts

Kia ora Maria

Thanks for these questions. Does the Panel have a preferred format for receiving the answers to the questions? Does the Panel intend to publish the questions and answers put to experts on the website?

Ngā mihi
Fleur

Fleur Matthews

Kaitaki-a-tīma | Team Leader, Environmental Policy
Greater Wellington Te Pane Matua Taiao
M 021 306 951

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>

From: [Maria Joslin](#)
To: "[Fleur Matthews](#)"
Subject: RE: PC18: Plimmerton Farm - Questions for Experts
Date: Tuesday, 6 October 2020 4:27:00 PM
Attachments: [image001.png](#)

Kia ora Fleur

Thanks for your email.

A format hasn't been specified for receiving the answers to the questions. But yes, the questions and answers will be published on the website.

I expect, as there is not much time following the deadline for receipt of the answers and the commencement of the hearing, they may be published as PDF versions of the documents they are received as. It may be simplest to provide your answers in a memorandum.

I'll talk to the panel and let you know on Thursday if there is any guidance on this.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako

[porirucity](#)

Tel: (04) 237 3863
porirucity.govt.nz

As a memorandum might be the simplest

From: Fleur Matthews <xxxxx.xxxxxxx@xx.xxxx.xx>
Sent: Tuesday, 6 October 2020 4:18 PM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] RE: PC18: Plimmerton Farm - Questions for Experts

Kia ora Maria

Thanks for these questions. Does the Panel have a preferred format for receiving the answers to the questions? Does the Panel intend to publish the questions and answers put to experts on the website?

Ngā mihi
Fleur

[Fleur Matthews](#)

Kaitaki-a-tīma | Team Leader, Environmental Policy
Greater Wellington Te Pane Matua Taiao
M 021 306 951

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Sent: Thursday, 1 October 2020 1:59 PM
To: Fleur Matthews <xxxxx.xxxxxxxx@xx.xxxx.xx>
Subject: PC18: Plimmerton Farm - Questions for Experts

Kia ora Fleur

Please find attached collated questions from submitters directed to yourself and to Alistair Smail for your responses, as per the directions in Minute 1.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

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From: [REDACTED]
To: [Maria Joslin; Friend of Submitters PC18](#)
Subject: RE: [EXTERNAL] Presentation for next week's Hearings- FOTSC
Date: Thursday, 8 October 2020 9:30:21 AM
Attachments: [image001.png](#)

Hello Maria

Thank you for your email which clarifies the process - I can certainly meet that deadline.

Kind regards

[REDACTED]

From: Maria Joslin [mailto:xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx]
Sent: Thursday, 8 October 2020 9:04 AM
To: [REDACTED]; Friend of Submitters PC18
<xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] Presentation for next week's Hearings- FOTSC

Kia ora [REDACTED]

Thank you for your email.

The Friday deadline is for electronic presentations only i.e. slideshows, as these need to be loaded up and tested on our projection system in the Chamber to ensure they will work on the day.

If you are just wishing to present a written presentation in support of your submission, then the instructions are to provide an electronic copy at the session before you are due to present, and bring 8 copies with you on the day.

I hope that explains things clearly for you. If not, please feel free to give me a call.

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Wednesday, 7 October 2020 2:33 PM
To: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx_>; Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] Presentation for next week's Hearings- FOTSC

Hello Emily and Maria

The Friday midday deadline for submission of Hearing's presentations has caught me by surprise. I was under the impression that 24 hours prior to the presentation was the time period. On that note, I have been up north following an unexpected death in our family (since Saturday 26th September) - back last evening and only now am able to look at the expert evidence before collating the FOTSC responses. I cannot guarantee that this Friday deadline can be met, so may have to work to the 24 hour deadline I took from my pre hearing notes.

At this point I don't plan on having a slideshow, just a written presentation.

Regards



Friends of Taupo Swamp & Catchment Inc.

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From: [Submissions](#)
To: [Plimmerton RA Sec](#)
Subject: RE: [EXTERNAL] RE: PC18-16 Plimmerton Residents Association - hearing
Date: Thursday, 8 October 2020 10:59:41 AM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Thank you for your email. Yes, the hearing is a public hearing so other submitters who are not speaking at the hearing are welcome to attend as observers.

The Hagley Street entrance to the Council building will be open so people can come and go from the Chamber on Level 2 as they wish.

There is a notice of hearing on the Plimmerton Farm consultation page of our website, which has a full schedule of the week attached. Please note while we are endeavouring to follow the timetable as best we can, the timings may change on the day.

<https://porirucity.govt.nz/plimmertonfarm>

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: Plimmerton RA Sec <[REDACTED]>
Sent: Tuesday, 6 October 2020 4:01 PM
To: Submissions <~~@xx~~>
Subject: [EXTERNAL] RE: PC18-16 Plimmerton Residents Association - withdrawal of wish to be heard

Hi Maria

I'm just wondering if the upcoming Panel hearings for PC18 are open to submitters who are not presenting to the panel to attend as observers?

Please advise.

Thanks and regards

[REDACTED]

[REDACTED]
Secretary
Plimmerton Residents' Association
Tel: [REDACTED]

From: Submissions [<mailto:@xx>]
Sent: Tuesday, 1 September 2020 1:03 p.m.
To: Plimmerton RA Sec <[REDACTED]>

From: [Friend of Submitters PC18](#)
To: [REDACTED]; [Maria Joslin](#)
Subject: Re: [EXTERNAL] Presentation for next week's Hearings- FOTSC
Date: Thursday, 8 October 2020 9:12:17 AM

Good Morning [REDACTED],

Please accept my condolences for your loss. I can appreciate that preparing for the hearing on top of everything else presents an extra challenge. I was just starting a reply to your email when I see Maria has responded clarifying the instructions in Minute 1, which allows you some extra time beyond the Friday timeframe for electronic presentations. I trust this information clarifies the matter for you.

If I can be of any assistance, please don't hesitate to be in touch.

With warm regards,

Ngā mihi

Emily

Emily Bayliss
Friend of Submitters
021 532 284

From: [REDACTED] >
Sent: Wednesday, October 7, 2020 2:33 PM
To: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx>; Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxx.xx>
Subject: [EXTERNAL] Presentation for next week's Hearings- FOTSC

Hello Emily and Maria

The Friday midday deadline for submission of Hearing's presentations has caught me by surprise. I was under the impression that 24 hours prior to the presentation was the time period. On that note, I have been up north following an unexpected death in our family (since Saturday 26th September) - back last evening and only now am able to look at the expert evidence before collating the FOTSC responses. I cannot guarantee that this Friday deadline can be met, so may have to work to the 24 hour deadline I took from my pre hearing notes.

At this point I don't plan on having a slideshow, just a written presentation.

Regards

[REDACTED]
Friends of Taupo Swamp & Catchment Inc.

From: [Maria Joslin](#)
To: [REDACTED]
Cc: [Friend of Submitters PC18](#)
Subject: RE: [EXTERNAL] PC18 Hearing Panel draft report
Date: Tuesday, 27 October 2020 12:38:00 PM
Attachments: [image001.png](#)

Kia ora [REDACTED]

Thank you for your email.

There isn't a scheduled date for the draft report, other than the statutory timeframes, but yes the submitters will be notified by email when the draft report is available.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako



Tel: (04) 237 3863
porirucity.govt.nz

From: [REDACTED] >
Sent: Saturday, 24 October 2020 10:42 AM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxx.xxxx.xx>
Cc: Friend of Submitters PC18 <xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] PC18 Hearing Panel draft report

Maria,

Will submitters be notified when the draft report of the Hearing Panel is posted?

If not, is there a date when that is scheduled to occur?

Regards,

[REDACTED]

From: [David Allen](#)
To: [Maria Joslin](#)
Subject: RE: [EXTERNAL] PC 18 - Panel's Draft Report [BUD-LIVE.FID949574]
Date: Friday, 4 December 2020 5:00:49 PM
Attachments: [image001.png](#)
[PC18 - Comments template\(60807723.1\).docx](#)

Hi Maria,

Well picked up by Brian. In terms of comments please find attached a document for comments. Could you please post it to the website.

Have a great weekend.

Cheers,

David

From: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx.xx>
Sent: 4 December 2020 14:14
To: David Allen <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx>
Subject: FW: [EXTERNAL] PC 18 - Panel's Draft Report

Hi David

Please see below query from Brian Warburton, with regard to comments.

Ngā mihi,

[Maria Joslin](#)

Consultation Support Coordinator
Kairuruku Tautoko Akoako



Tel: (04) 237 3863
porirucity.govt.nz

From: Brian Warburton <[REDACTED]>
Sent: Friday, 4 December 2020 2:05 PM
To: Maria Joslin <[xxxxx.xxxxxx@xxxxxxxxxxxxx.xxx.xx](#)>
Cc: Andrew Cumming <[xxxxxx.xxxxxxx@xxxxxxxxxxxxx.xxx.xx](#)>
Subject: [EXTERNAL] PC 18 - Panel's Draft Report

Hello Maria

I see that the Panel's draft report has been released and that the Panel has asked for comments.

I also note that section 14.1 of the Panel's Minute #1 said this: *"To enable efficient review of the comments by the Hearing Panel a table for such comments will be provided by the Hearing Panel"*

closer to the time.”

However, I'm not aware that a 'table' has been made available.

Are you able to obtain clarification.

Thanks

Brian Warburton

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From: [Maria Joslin](#)
To: [Brian Warburton](#)
Cc: [Andrew Cumming](#)
Subject: RE: [EXTERNAL] PC 18 - Panel's Draft Report
Date: Monday, 7 December 2020 8:35:07 AM
Attachments: [image001.png](#)

Kia ora Brian

Thank you for email.

The panel have now provided the comments template and I have made this available on the website just beneath where the draft documents are loaded.

<https://porirucity.govt.nz/plimmertonfarm>

Ngā mihi,

Maria Joslin

Consultation Support Coordinator
Kairuruku Tautoko Akoako

porirucity

Tel: (04) 237 3863
porirucity.govt.nz

From: Brian Warburton <[REDACTED]>
Sent: Friday, 4 December 2020 2:05 PM
To: Maria Joslin <xxxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Cc: Andrew Cumming <xxxxxx.xxxxxxx@xxxxxxxxxxxxx.xxxx.xx>
Subject: [EXTERNAL] PC 18 - Panel's Draft Report

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Thanks

Brian Warburton