

**BEFORE THE UPPER HUTT CITY COUNCIL
AND
GREATER WELLINGTON REGIONAL COUNCIL**

IN THE MATTER OF

and a related

Resource Consent application for Pinehaven Stream
Flood Protection Works (GWRC),
Notice of Requirement (UHCC)

CONSENT APPLICANT

REQUIRING AUTHORITY

Upper Hutt City Council

Upper Hutt City Council

3rd MINUTE OF INDEPENDENT HEARING PANEL:

Re-Confirmation of Hearing

DATED 27 July 2020

**Minute #3 of Independent Hearing Panel
Pinehaven Stream Flood Protection Works
[WGN200083 and 351/10/006]**

Request by Save Our Hills

1. As noted in our Minute #2, Save Our Hills (SOH) sent an email to the hearing administrators dated 6 July 2020 requesting that the hearing date be postponed. SOH cited a variety of reasons for that request, principally related to scheduling issues around expert witness conferencing in relation to flood modelling. SOH reiterated its request in an email dated 20 July. This Minute responds to that request and the related conferencing issue.

Expert Conferencing

2. Conferencing between the flood modelling experts Mr Law (acting for GWRC/UHCC) and Mr Kinley (acting for the applicant) took place on 21 July, and their report was provided to all parties on 23 July. Experts acting for SOH were unable to attend that meeting, whether in person or via video link.
3. Further conferencing may take place between the SOH / GWRC / UHCC flood experts on Tuesday 28 or Wednesday 29 July, but that has not yet been confirmed.
4. Regardless of whether that potential conferencing takes place, the parties may find value in further conferencing during the days of the hearing. We therefore encourage them to be prepared for that possibility.

Provision of Evidence

5. Based on the timetable set in earlier advice to all parties, evidence from the SOH expert or experts was required to be circulated to all parties today (Monday 27 July). We require this timeframe to be met.
6. If the possible conferencing takes place this week (Tuesday 28 or Wednesday 29 July), SOH can provide supplementary evidence if their position has changed due to the conferencing outcomes. If supplementary evidence is provided, we require it by no later than 3pm the day after conferencing has occurred. We also require a report of the conferencing outcomes in the same timeframe.

Decision on Requested Postponement

7. As noted above, by the end of this week additional conferencing may have occurred. The parties will also be in receipt of written evidence from SOH which must be provided today. In addition, a substantial amount of time has been allocated to SOH in the hearing schedule to present its case – as indicated by the hearing schedule attached to this Minute. In these circumstances we consider that there is no need to postpone the hearing.

8. We therefore reconfirm that the hearing to consider the resource consent application and notice of requirement will commence on 3 August 2020, at 9am at the Cosmopolitan Club, 11 Logan Street, Upper Hutt.

Correspondence

9. As per our previous Minutes, any correspondence with the independent hearing panel should be directed through Ainslee Brown (Ainslee.Brown@gw.govt.nz).



Mark Ashby
Chair of Hearing

For and on behalf of:
Commissioner Nigel Mark-Brown
Commissioner Rawiri Faulkner
Commissioner Mark Ashby

Pinehaven Notified Consent Hearing Schedule

Date: Monday 3rd – Wednesday 5th August 2020

Time: 9am – 5pm

Venue: Upper Hutt Cosmopolitan Club, 11 Logan Street, Upper Hutt.



Day 1 – Monday 3rd August

Block	Presenter	Speaking to	Evidence provided prior to hearing
9.00-9.15am	Welcome and housekeeping		
9.15 – 9.30am	Upper Hutt City Council – James Beban	Planning	Yes
9.30 – 9.45am	Greater Wellington Regional Council – Josie Burrows	Planning	Yes
9.45 – 10.40am	Wellington Water Limited – Nicky McIndoe	Legal submissions	No
10.40 – 11.00am	Morning Tea		
11.00 – 11.30am	Wellington Water Limited – Nicky McIndoe	Legal submissions	No
11.30 – 11.50am	Wellington Water Limited – Ben Fountain	Project need	Yes
11.50 – 12.10pm	Wellington Water Limited – Eric Skowron	Project overview - Engineering	Yes
12.10 – 12.50pm	Wellington Water Limited – Peter Kinley	Flood model design and flooding effects	Yes
12.50 – 1.40pm	Lunch		
1.40 – 2.00pm	Wellington Water Limited – Tim Haylock	Construction methodology and effects	Yes
2.00 – 2.20pm	Wellington Water Limited – Claire Conwell	Erosion and sediment control and water quality effects	Yes
2.20 – 2.40pm	Wellington Water Limited – Adam Forbes	Terrestrial ecology effects	Yes
2.40 – 3.00pm	Wellington Water Limited – Alex James	Aquatic and riparian ecology effects	Yes
3.00 – 3.20pm	Wellington Water Limited – David Compton-Moen	Landscape and visual effects	Yes
3.20 - 3.40pm	Afternoon Tea		
3.40 – 4.10pm	Wellington Water Limited – Helen Anderson	Planning	Yes
4.10 – 4.40pm	Upper Hutt City Council – James Beban	Planning	Yes
4.40 – 5.00pm	Upper Hutt City Council – Keely Paler	Terrestrial ecology	No

Day 2 – Tuesday 4th August

Block	Presenter	Speaking to	Evidence provided prior to hearing
9.00 – 9.30am	Greater Wellington Regional Council – Josie Burrows	Planning	Yes
9.30 – 10.00am	Greater Wellington Regional Council / Upper Hutt City Council - Mike Law	Flood modelling	Yes
10.00 – 10.30am	Morning Tea		
10.30 – 11.30am	Save Our Hills – Peter and Ros Ross	11 Birch Grove	No
11.30 – 12.30pm	Save Our Hills – Alex Ross	Flood Hydrology	TBC
12.30 – 1.30pm	Lunch		
1.30 – 2.00pm	Save Our Hills – Alex Ross (cont.)	Flood Hydrology	TBC
2.00 – 3.00pm	Save Our Hills – Susan Pattinson	Consultation and consenting process	No
3.00 – 3.30pm	Afternoon Tea		
3.30 – 5.00pm	Save Our Hills – Stephen Pattinson	Relationship of streamworks to future development; hydrology of storm on 8 December 2019; calibration of model to 23 July 2009 storm; impact of streamworks	No

Day 3 – Wednesday 5th August

Block	Presenter	Speaking to	Evidence provided prior to hearing
9.00 – 11.00am	Save Our Hills – Stephen Pattinson	Relationship of streamworks to future development; hydrology of storm on 8 December 2019; calibration of model to 23 July 2009 storm; impact of streamworks	No
11.00 – 11.15am	Morning Tea		
11.15 – 12.45pm	Save Our Hills – Bob Hall	Hydrological and hydraulic modelling	TBC
12.45 – 1.30pm	Lunch		
1.30 – 1.45pm	Karyn Mills	Submission	No
1.45 – 2.00pm	Sharlene Olsen	Submission	No
2.00 – 2.15pm	Robyn Hickson	Submission	No
2.15 – 3.30pm	Closing submissions		
3.30 – 4.00pm	Afternoon Tea		
4.00 – 4.30pm	Commissioners closing comments		