

Notified resource consent application: public notification under Resource Management Act 1991 – hearing process update

Applicant:	Wellington Water Limited on behalf of Upper Hutt City Council (requiring authority)
Proposal:	Resource consent is sought from GWRC for construction and maintenance works within the lower reaches of Pinehaven Stream to provide for a 25-year channel capacity. Notice of Requirement is sought from UHCC for the proposed designation required to undertake the structural works. The designation is proposed to be amended following construction to only include the land required for the long-term operation, maintenance and mitigation of effects of the project within the designation.
Location:	Works are proposed between Pinehaven Reserve downstream to Whitemans Road at the point at which the stream is piped to Hulls Creek

Proceeding towards a hearing

In light of the current COVID-19 situation, we have been in discussion with Wellington Water Limited (WWL) about how to proceed with their consent application. WWL have indicated to us that they wish to proceed towards a hearing as it is important they keep their programme for this project on track.

At present, the hearing has been booked for **Tuesday 19 – Thursday 21 May**. However, as we are currently working in an unprecedented time, we are looking at alternative ways of hosting pre-hearing discussions/conferencing and the hearing. We will be looking into using technology such as Zoom meetings, Skype meetings, phone calls, etc. during this time.

A colleague or I will call you within the next couple of days to:

- a) Discuss how we are proposing to continue at this time (as briefly described above);
- b) Confirm whether you are still interested in being heard; and
- c) Confirm your ability to partake in an online video or telephone pre-hearing discussions/conferencing and hearing.

Hearing direction

Mr David McMahon has been appointed as the Chair of the Independent Hearings Panel, alongside commissioners Mr Rawiri Faulkner and Mr Nigel Mark-Brown.

Mr McMahon has released ‘Minute 1 of the Independent Hearing Panel’ attached to this letter, on behalf of the Commissioners. This minute provides the direction for the hearing, which encourages parties to engage in constructive discussions where practicable before the hearing commences so as to minimise the range of issues in contention.

Mr McMahon suggests the next steps taken are:

- a) That Wellington Water Limited endeavours to communicate with submitters to discuss issues raised in submissions and resolve any issues, where practical, by mid-April 2020 at the latest; and
- b) Any party wishing us to visit a particular site or locality advise the GWRC administrator by **9 April 2020** (please contact notifications@gw.govt.nz or josie.burrows@gw.govt.nz). This inspection would be undertaken after any COVID-19 restrictions are lifted.

Hearing timetable

There are several submitters who wish to be heard in support of their submission. To make sure we can accommodate everyone we will be preparing a hearing timetable. To help us develop this, we need your response to the questions below:

Will you have any technical or legal experts supporting you at the hearing?

It is important for us to know prior to the hearing if any technical experts will be supporting your submission to provide evidence to Greater Wellington Regional. If you will be doing this, please let us know who these people are so we can connect them to the evidence process we have set up for the hearing. Please refer to the direction from the commissioners which is available from the website.

How much time do you need to speak at the hearing?

As a rule of thumb, parties should target presentations of 15-30 minutes or so. If you require more time than this please advise us of how long you may require. Also please advise us if you are not available during normal working hours (9am-5pm). We note that your circumstances may change depending on if this hearing is held in public, or via alternative technologies.

Will you be joining with other submitters and presenting together to the panel?

Often submitters end up working together and presenting submissions to the hearing panel jointly. If you plan to do this, please let us know who you will be joining with and how much time you will need.

If you could respond to me in regard to the above questions by **4:30pm, Thursday 9 April 2020** that would be appreciated. As I mentioned above, someone will be in touch with you in the next couple of days to answer any questions you have. You are welcome to confirm answers to the questions above during this conversation.

More information about the resource consent hearings process is available from Quality Planning at: <http://www.qualityplanning.org.nz/index.php/consents/notified-consents/hearings>

If you have any questions please contact me.

Yours sincerely



Josie Burrows

Resource Advisor, Environmental Regulation

josie.burrows@gw.govt.nz