

24 April 2024

File Ref: OIAPR-1274023063-26361

[REDACTED]

By email: [REDACTED]

Tēnā koe [REDACTED]

Request for information 2024-077

I refer to your request for information dated 17 April 2024 which was received by Greater Wellington Regional Council (Greater Wellington) on 17 April 2024. You have requested the following:

“a copy of comms between GW and Chris Bishop, regarding the cost or delivery of RiverLink, especially regarding cost pressures or delays.”

Greater Wellington’s response follows:

Following the 2023 General Election, Greater Wellington forwarded a series of Briefings to Incoming Ministers (BIMs). This included a BIM¹ from Chair Daran Ponter to the Hon Chris Bishop on a range of topics including Riverlink. Among other things the BIM noted that Riverlink was facing substantial cost over-runs.

In the months following, several discussions took place between the Riverlink partners. These have culminated in the regional council deciding to deliver Riverlink flood defences outside the Alliance, as outlined in this media release².

As may be anticipated on a project of this size and complexity, and proximity to urban neighbourhoods, it takes time to work through the impact on neighbours. We have attached two of these emails between Hon Chris Bishop and Chair Ponter because they refer to the cost and delivery aspects of Riverlink.

¹ <https://www.gw.govt.nz/assets/Documents/2023/12/4.12.2023-BIM-CBISHOP.pdf>

² <https://www.gw.govt.nz/your-region/news/greater-wellington-to-deliver-affordable-lower-hutt-flood-defences/>

Please note that personal information has been withheld under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (the Act) in order to protect the privacy of natural persons, including that of deceased natural persons.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold certain aspects of the requested information. As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding parts of the document under the grounds identified above.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Nigel Corry

Tumu Whakarae | Chief Executive

Attachment 1: Email correspondence

Attachment 2: Further email correspondence

Attachment 3: Environment Court Mediation (noted in text as attached to Email #2)

From: [Chris Bishop](#)
To: [Daran Ponter - Chair](#)
Subject: RE: Mills St Stopbank.....did you realise....??
Date: Monday, 11 March 2024 7:03:03 am
Attachments: [image001.jpg](#)
[image002.png](#)

Got it.

From: Daran Ponter - Chair <Daran.Ponter@gw.govt.nz>
Sent: Sunday, March 10, 2024 4:54 PM
To: Chris Bishop <Christopher.Bishop@parliament.govt.nz>
Subject: Re: Mills St Stopbank.....did you realise....??

Yes, all above board. Lots of infrastructure to work around in this project. The only way to get Mill st started this summer was to stage it ahead of the full design being completed. Otherwise we would have to wait out the winter and not start again until next summer.

Get [Outlook for iOS](#)

From: Chris Bishop <Christopher.Bishop@parliament.govt.nz>
Sent: Sunday, March 10, 2024 4:46:38 PM
To: Daran Ponter - Chair <Daran.Ponter@gw.govt.nz>
Subject: FW: Mills St Stopbank.....did you realise....??

FYI

From: [REDACTED]
Sent: Saturday, March 9, 2024 4:36 PM
To: Chris Bishop - MP for Hutt South <chris.bishop@national.org.nz>
Subject: [Suspect Sender] Mills St Stopbank.....did you realise....??

Hi Chris

I hope you are well and enjoying the cricket today. Tony and I briefly caught up with you at the sod turning ceremony. Sorry to have to trouble you with this however, I have included a copy of an email I received yesterday after questioning activities in relation to Mills St stopbank.

All day yesterday there were concrete trucks pouring concrete for buildings to be located in the footprint of the new stopbank. When I questioned what was going on, we found out that the construction of the stopbank at Mills St is yet to be approved. Stage 1 is the construction of the temporary stopbank. We were always told that the stopbank construction would start at the Mills St end. This is clearly not the case. Stage 2 is the relocation of the cables and construction of the actual stopbank, as per the email below, timing of this work is yet to be confirmed. All of the work done yesterday is going to have to be undone to enable the stopbank to be built – a total waste of money!!

The Stage 2 works include the movement of the electrical cables and construction of the stopbank in its final location. These works are being phased with wider Te Wai Takamori (Delivering RiverLin) project works (start dates to be confirmed). At completion of both stages, the stopbank will be constructed in the properties where the buildings have been demolished, as per your expectation and the reference design.

As you can imagine, we thought there was light at the end of our (nearly) 15 year long tunnel, only to find that it is a massive steam train coming towards us, with no timing for the construction of the actual stopbank. None of the plans show the new stopbank at Mills St. That, and the fact that GWRC have spent tens of thousands of dollars on concrete, in cases that we are talking years and that will mean a huge personal cost to us, at this stage of our lives. We can't afford to sell because we have lost 1/3 of our property value because of this project. We can't afford to stay when we retire, we are already physically struggling with some of the maintenance work and there is no guarantee we will be able to keep working either. The uncertainty around this is putting us in the most horrible of positions.

I realise that there is nothing you can do, however wanted to make you aware of the situation here. Sometimes what you are not told can be as important as what you are being told

Trust me, there are a few seeds I would like to turn!!!

Kind regards

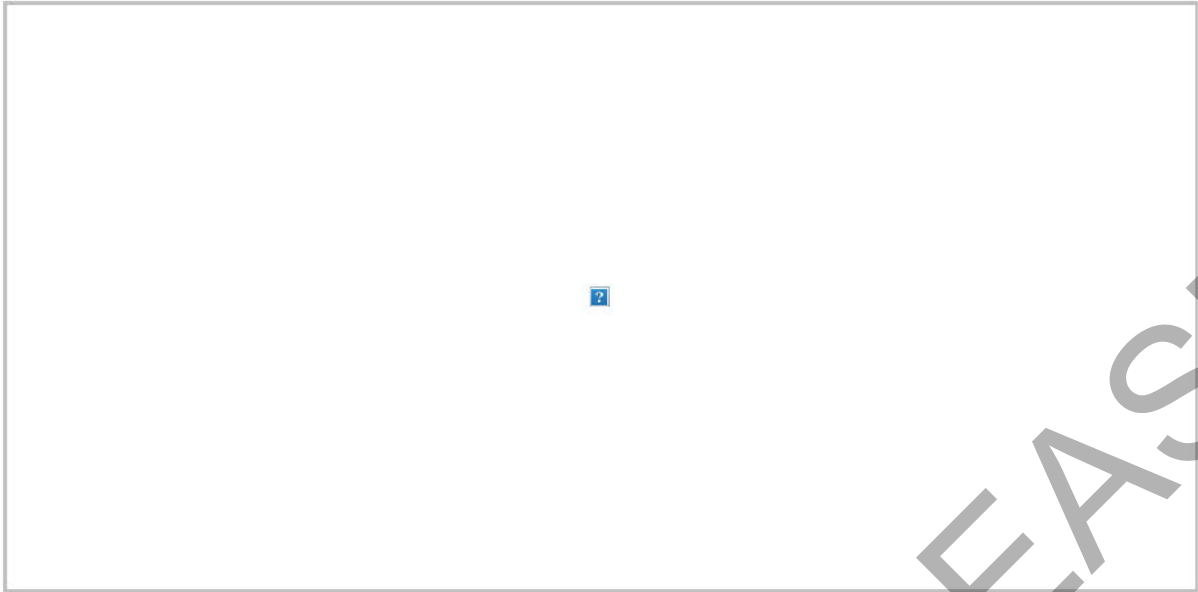
[REDACTED]
[REDACTED] Mills St
Boulcott
[REDACTED]

Email text below is from Tracey Berghan GWRC date Friday 8 March 2024

Hi [REDACTED]

Sorry for not getting back to you earlier, I have been in an all-day workshop:

The Mills St stopbank works have been staged due to the necessity to relocate significant electrical cables along the base of the existing stopbank are under the current stopbank. We are currently working on Stage 1. During this stage, a temporary stopbank (as shown by item C on the image below), will be constructed further out into the river corridor at the end of Mills Street. This will provide you with flood protection until the Stage 2 works are carried out.



The Stage 2 works include the movement of the electrical cables and construction of the stopbank in its final location. These works are being phased with wider Te Wai Takamori (Delivering RiverLink) project works (start dates to be confirmed). At completion of both stages, the stopbank will be constructed on the properties where the buildings have been demolished, as per your expectation and the reference design.

Robbie Woods is GWs project manager, who I introduced you to at the sod turning, he will be your main GW contact point for MSSB. He is back from leave on Monday 11 so he will give you a call when he is back.

Ngā mihi

Tracy



Tracy Berghan (she/her)

Kaiwhakahaere Matua | Manager RiverLink | Partner Lead Te Wai Takamori & Te Awa Kairangi
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From: [Chris Bishop](#)
To: [Daran Ponter - Chair](#)
Subject: FW: Mills St Stopbank.....did you realise....??
Date: Tuesday, 12 March 2024 9:17:09 am
Attachments: [image001.jpg](#)
[image002.png](#)
[Mediation \(1\).pdf](#)
[MArch 2924 Siteworks.jpg](#)
[More siteworks MArch 2024.jpg](#)
[Stopbank siteworks Mar 2024.jpg](#)

I feel like this could be ongoing correspondence...?

From: [REDACTED]
Sent: Tuesday, March 12, 2024 7:17 AM
To: Chris Bishop <Christopher.Bishop@parliament.govt.nz>
Subject: RE: Mills St Stopbank.....did you realise....??

Good morning Chris.

We have had trucks outside, since 10 to 5 this morning, so I have been contemplating your offer to speak to Greater Wellington.

I feel maybe a 'please explain' would be useful, particularly

- why is it OK to ignore a 'clear direction' from our Environment Court mediation in Feb 2022 (Copy attached)
- why is it OK to ignore Condition 34(b) (work at Mills St) of the Resource Consent
- why is it OK to mislead everyone (including yourself) about the proposed work (Newsletters 9/2/2024 & press release 12/1/24)
- why is the section of stopbank outside our home, specifically excluded (It feels very personal)
- why is the work able to be completed south of Mills St to Melling Bridge, yet the area near us is deemed to be part of Te Wai Takamori (more than 1 km away)

Some people have suggested the issue is to do with the major Transpower cable that runs through the stopbank.

- Why have GW not sorted this problem in the last 14 ½ year?
 - Why has there been no communication with us?
 -
- why are they building on the stopbank footprint (Photos attached)
-what is the timing from here on in? I am guessing years now.

Sadly, the temperature has been turned up on this powerless little frog, who was happily swimming in the pot....until Friday when this surfaced.

I know you are busy and do appreciate your support.

Kind regards

[REDACTED]
[REDACTED] Mills St
Boulcott

From: Chris Bishop <Christopher.Bishop@parliament.govt.nz>
Sent: Sunday, March 10, 2024 4:47 PM
To: [REDACTED]
Subject: RE: Mills St Stopbank.....did you realise....??

Thanks [REDACTED] Doesn't sound great. Would you like me to talk to GWRC? I assume you are already doing so.

From: Alison McKone <ajmckone@outlook.com>
Sent: Saturday, March 9, 2024 4:36 PM
To: Chris Bishop - MP for Hutt North <chris.bishop@national.org.nz>
Subject: [Suspect Sender] Mills St Stopbank.....did you realise....??

Hi Chris

I hope you are well and enjoying the cricket today. Tony and I briefly caught up with you at the sod turning ceremony. Sorry to have to trouble you with this however, I've included a copy of an email I received yesterday after questioning activities in relation to the Mills St stopbank.

Today yesterday there were concrete trucks pouring concrete for buildings to be located in the footprint of the new stopbank. When I questioned what was going on, we found out that the construction of the stopbank at Mills St is yet to be approved. Stage 1 is the construction of the temporary stopbank. We were always told that the stopbank construction would start at the Mills St end. This is clearly not the case. Stage 2 is the relocation of the cables and construction of the actual stopbank and, as per the email below, timing of this work is yet to be confirmed. All of the work done yesterday is going to have to be undone to enable the stopbank to be built – a total waste of money!!

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positions.

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Trust me, there are a few sods I would like to turn!!!

Kind regards

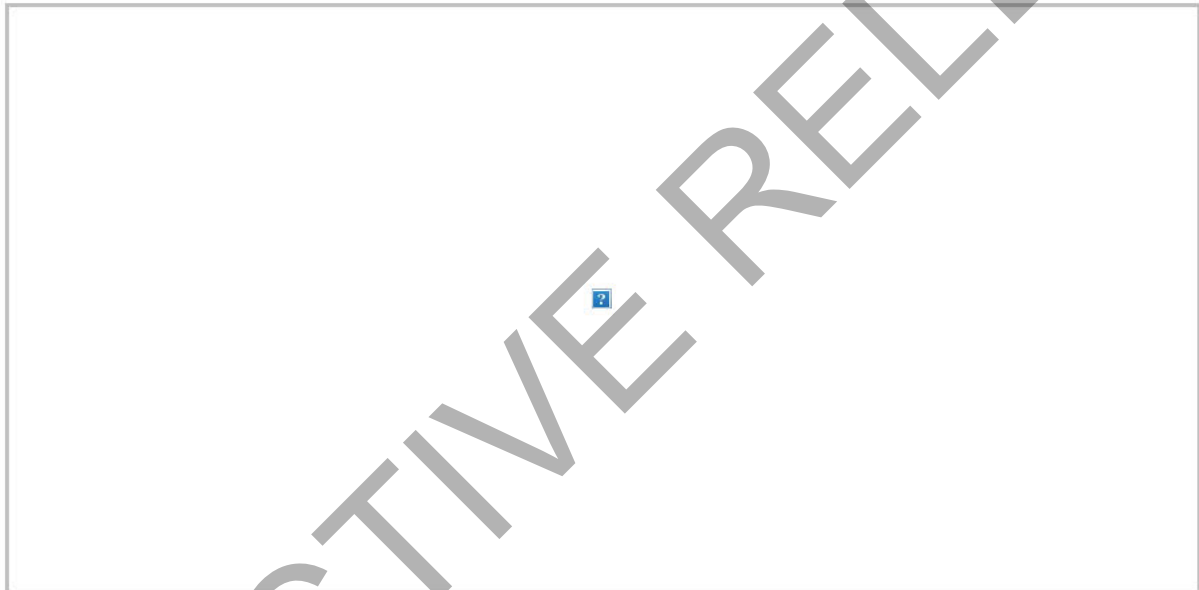
██████████
Mills St
Boulcott
██████████

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Hi ██████████

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Robbie Woods is GWS project manager, who I introduced you to at the sod turning, he will be your main GW contact point for MSSB. He is back from leave on Monday 11 so he will give you a call when he is back.

Ngā mihi

Tracy

makaurangi



[Tracy Berghan \(she/her\)](#)

Kaiwhakahaere Matua | Manager RiverLink | Partner Lead Te Wai Takamori o Te Awa Kairangi

Greater Wellington Te Pane Matua Taiao

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IN THE ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY

I MUA I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-Ā-TARA ROHE

ENV-2021-WLG-000039

Under the

RESOURCE MANAGEMENT ACT 1991

In the matter of

the direct referral of applications for resource consents
and notices of requirement under sections 87G and
198E of the Act for the RiverLink Project

By

NEW ZEALAND TRANSPORT AGENCY

WELLINGTON REGIONAL COUNCIL

HUTT CITY COUNCIL

KIWIRAIL HOLDINGS LIMITED

Applicants

MEDIATION AGREEMENT - [REDACTED]

2 February 2022

AGREEMENT REACHED AT MEDIATION:

1. This agreement relates to New Zealand Transport Agency (**Waka Kotahi**), Wellington Regional Council (**GW**) and Hutt City Council's (**HCC**) notices of requirement and applications for resource consents for the RiverLink project (**Project**) related notice of requirement (together, the **Applicants**).
2. The Applicants and [REDACTED] (on behalf of herself and [REDACTED] [REDACTED] attended mediation on 2 February 2021 before Environment Court Commissioner Buchanan.
3. Discussion at the mediation related to the effects of the Project on [REDACTED] [REDACTED] Mills Street, Lower Hutt. **Appendix A** records the positions reached by the participants.
4. With the outcomes set out in the attached, [REDACTED] are satisfied that their concerns have been addressed to such that they will not participate further in these proceedings.

We agree that the above is a correct record of the agreements reached at this mediation.

DATED at Wellington this 2nd day of February 2022

[REDACTED]

Counsel for the Applicants

[REDACTED]

[REDACTED] reviewed this agreement over Teams and agreed with its contents.

Appendix A

Issue	Actions / outcomes
Type of fence	Install a fence (open metal or the like) up to 1.8m high along the western (stopbank) boundary of the driveway to [REDACTED] Mills Street extending along the length adjacent to [REDACTED] Mills Street with the remaining length of the boundary of [REDACTED] Mills Street to be fenced to reduce public access.
Redesign of the Riverside access path	The [REDACTED] will be consulted on the detailed design of the Riverside access path in front of [REDACTED] Mills Street with a switchback design to be preferred depending on space requirements to deliver an acceptable design.
Wording of condition DG3	Condition DG3: Use of the driveway serving [REDACTED] and [REDACTED] Mills St shall be limited to residential activities and non-routine stopbank and fence maintenance and emergency access as required, unless otherwise agreed with all owners of these properties.
Paragraph 6 of letter dated 28 January 2022	Agreed no condition required.
Utilities located on [REDACTED] Mills Street driveway	If reasonably practicable locate utilities on the river side alongside [REDACTED] Mills Street rather than within the driveway to [REDACTED] Mills Street.
Timing of construction adjacent to 39A Mills Street	Agree to including proposed amendment to condition 34(b) as follows: "b) Details of the construction programme and the staging approach for Construction Works; which, if reasonably practicable and efficient, shall provide for construction of the stopbank within 50 metres either side and in front of the property at [REDACTED] Mills Street and associated services trench early within the construction programme."

Issue	Actions / outcomes
	Agreed that this provision provides strong direction.
Privacy offers in letter dated 28 January 2022	<p>The offer contained in points 1 to 4 (privacy matters) in the letter of 28 January 2022 remain open for acceptance by [REDACTED] until 6 months following completion of the stopbank works adjacent to [REDACTED] Mills Street.</p> <p>Point 4 (offer of specimen trees etc) is subject to location of the utilities. [REDACTED] would prefer the utilities to be located within the river corridor in preference to any planting.</p>
Straightening the reverse inflection of the stopbank	It is agreed that the reverse stopbank inflection will be removed adjacent to [REDACTED] Mills Street.
Steps and Pathway / turning area	Agreed to deliver a condition to formalise the design amendments in accordance with paragraph 8 of the letter to Mr and Mrs McKone dated 28 January 2022.