

**BEFORE THE PORIRUA CITY COUNCIL AND GREATER WELLINGTON REGIONAL COUNCIL**

**IN THE MATTER OF**

**land use and subdivision consent (RC RC6922-SL0046/15) to:**

- **undertake a 149 lot subdivision consisting of residential lots, road and reserves to vest and balance lots, which includes contravening permitted activity standards in respect to earthworks, financial contributions, outdoor living area, private ways and driveways, site coverage, vehicle movements and front yard; and**
- **vary or cancel a consent notice; and**
- **vary or surrender existing easements; and**
- **waive esplanade reserve requirements**

**discharge permits, diversion and land use consents (WGN160028) to:**

- **divert Duck Creek; and**
- **discharge sediment and chemical flocculant in treated stormwater runoff; and**
- **discharge into water; and**
- **discharge to land; and**
- **undertake various works in respect to the bed of any river; and**
- **place a stormwater pipe and a sewage pipe; and**
- **construct temporary bridges, three permanent bridges, place stormwater inlet and outlet structures, and construct an outlet pipe to Duck Creek, a forebay in a pond system and an outlet channel from the pond to land where it will enter Duck Creek; and**
- **undertake bank stabilisation works; and**
- **reclaim the bed of Duck Creek**

**APPLICANT**

**Jagger NZ Limited**

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**2ND MINUTE OF COMMISSIONERS GINA SWEETMAN, GLENICE PAINE, NIGEL MARK-BROWN  
AND KATE MACARTHUR  
HEARING PROCEDURES AND COMMISSIONERS DIRECTIONS  
DATED 11 FEBRUARY 2016**

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**Minute of the Hearings Panel #2  
Duck Creek North / Brookside  
GWRC WGN160028 and PCC RC6922-SL0046/15**

1. On 5 February 2016, the Hearings Panel received a memorandum from Jagger NZ Limited requesting that the application be placed on hold pursuant to s91A of the RMA to allow further discussion and conferencing between the applicant, Porirua City Council (PCC) and Greater Wellington Regional Council (GWRC) over the matters raised in our first Minute. The applicant also proposed a new timetable for the exchange of evidence and the hearing.
2. This Minute sets out new dates for the hearing and exchange of evidence in relation to the hearing and replaces those set out in Minute 1. All other matters contained in Minute 1 stand.

### **Hearing**

3. As a result, the hearing to consider and decide the resource consent applications set out above will now commence on Tuesday 5<sup>th</sup> April 2016 at 9:00am, at the Porirua City Council Chambers and continue on Wednesday 6<sup>th</sup> April and Thursday 7<sup>th</sup> April as required. The venue for Thursday 7<sup>th</sup> April will be the Helen Smith Room, Pataka, corner of Norrie and Parumoana Streets, Porirua.

### **Exchange of evidence**

4. The Hearings Panel notes that section 103B, requires that a consent authority must provide the section 42A reports to the applicant and submitters who wish to be heard, at least 15 working days prior to the hearing. In addition, section 103B requires the applicant to provide the consent authority with briefs of evidence 10 working days before the hearing, and for submitters calling expert evidence to similarly provide that evidence 5 working days before the hearing. The Hearings Panel further notes that the consent authority must give written or electronic notice to the parties, that the applicant's evidence and any submitter expert evidence is available at the consent authority's offices.

Accordingly, unless the applicant further suspends the application pursuant to s91A of the RMA prior to the commencement of the hearing:

5. Pursuant to section 103B(2) of the RMA, the Hearings Panel directs that the PCC and GWRC section 42A report be provided to the parties, by way of email/mail, directing the parties to the GWRC website no later than 5pm on Friday 11<sup>th</sup> March 2016.
6. Pursuant to section 103B(3) of the RMA, the Hearings Panel directs that Jagger NZ Limited (the Applicant) is to provide written briefs of all their evidence to Sonia Baker, Team Leader Environmental Regulation at GWRC, no later than 5pm on Friday 18<sup>th</sup> March 2016.
7. The Hearings Panel requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 6, GWRC provides a copy to all other parties to these proceedings by way of email/mail, directing the parties to the GWRC website and advising that hard copies are available at the GWRC and PCC offices.
8. Pursuant to section 103B(4) of the RMA, the Hearings Panel directs that if any person who has made a submission intends to present expert evidence at the hearing, including expert planning evidence, then that party is to provide a written brief of that expert evidence to Amber Owen, Environmental Regulation Administrator at GWRC, no later than 5pm on Tuesday 29<sup>th</sup> March 2016.
9. The Hearings Panel requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 8, GWRC provides a copy to all other parties to these proceedings by way of email, directing the parties to the GWRC website and advising that hard copies are available at GWRC and PCC offices.

10. In terms of Directions 5, 6 and 8 the reports and evidence should be provided to GWRC electronically by email or be made available for downloading from the GWRC website [www.gw.govt.nz/duckcreeknorth](http://www.gw.govt.nz/duckcreeknorth). Hard copies of the evidence should only be provided on request.

### **Correspondence**

11. Any correspondence to the Hearings Panel should be directed through Amber Owen, Environmental Regulation Administrator at GWRC.

A handwritten signature in blue ink that reads "Sweetman". The signature is written in a cursive style with a large, looped initial 'S'.

Gina Sweetman  
**Independent Commissioner – Chair**  
**For and behalf of the Hearings Panel**