

**IN THE MATTER** of the Resource Management Act  
1991

**AND**

**IN THE MATTER** of an application for resource  
consents by Watercare Services  
Limited to undertake works  
relating to the proposed Huia  
Replacement Water Treatment  
Plant

#### **FOURTH MINUTE OF THE HEARING COMMISSIONERS**

1. Pursuant to section 34A of the RMA, Auckland Council ("**Council**") has appointed Independent Hearing Commissioners Philip Brown (as Chairperson), Juliane Chetham, Hugh Leersnyder, and Michael Parsonson to hear and determine an application for resource consents by Watercare Services Limited ("**Watercare**") to undertake works relating to the proposed Huia Replacement Water Treatment Plant.
2. The hearing has commenced and evidence has been heard from the applicant and submitters over eight days comprising 24 February, 26-27 February, 4-6 March, and 11-12 March 2020. The hearing has stood adjourned since 12 March 2020.
3. In our Second Minute dated 13 March 2020, the Commissioners directed that expert caucusing be convened to consider the issue of Kauri Dieback and that testing be undertaken to determine the presence or absence of Kauri Dieback on the site and on surrounding land. The directions required, as an initial step, that the experts were to convene to discuss the methodology, extent and scope of Kauri Dieback testing that is to be undertaken. Watercare was directed to report back on progress by 1 May 2020.

4. Expert witness caucusing took place on 16 April 2020, and the outcome is recorded in a Joint Witness Statement (“JWS”) dated 17 April 2020. The JWS sets out an agreed process and timeline for undertaking the testing and obtaining results.
5. Watercare provided its progress report through a memorandum of counsel dated 1 May 2020, which summarised the expert caucusing process and outcome while noting that there is some potential for delays in the sampling and diagnostic work. A further reporting date of 12 June 2020 was sought. This new reporting date was agreed to by the Commissioners in our Third Minute dated 8 May 2020.
6. Watercare has provided a further update on progress by way of a memorandum of counsel dated 12 June 2020. We understand from that update that a suitable testing/sampling contractor has been identified, and that the contractor has provided three options for the work within a proposed sampling plan. Feedback from the expert caucusing participants has been provided to Dr Flynn, who is preparing instructions for the contractor.
7. It is clear that further time will be required for the Kauri Dieback testing. Watercare has advised that a firm timeframe to complete the work cannot be identified until the contractor has considered the instructions and responded with a proposed work programme. A further reporting date of 10 July 2020 is sought by Watercare to provide sufficient time for the contractor to provide that response.
8. Accordingly, the Commissioners direct that Watercare shall report back on progress by **Friday 10 July 2020**.
9. Any enquiries regarding these Directions or related matters should be directed to Sam Otter, Senior Hearings Advisor by email at [sam.otter@aucklandcouncil.govt.nz](mailto:sam.otter@aucklandcouncil.govt.nz)

For and on behalf of the Hearing Commissioners



**Philip Brown**  
Chairperson  
16 June 2020