

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

FIFTH MINUTE OF THE HEARING COMMISSIONERS

Preamble

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.

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 has advised the Commissioners that there is some potential for delays in the sampling and diagnostic work. Regular updates on progress have been provided by way of memoranda of counsel.

Progress Update and Further Directions

6. In its latest memorandum, dated 10 July 2020, Watercare has advised that a contractor has been appointed to undertake the testing and noted that sampling commenced at the end of June 2020. Results will not be available for approximately two months.
7. The second stage of expert witness caucusing will take place once the Kauri Dieback testing results have been obtained, as directed by the Commissioners. Watercare has requested a further reporting date of 11 September 2020 to enable an update on progress with the Kauri Dieback testing and the subsequent expert witness caucusing.
8. The Commissioners appreciate the progress update from Watercare, and accept that further time is required to enable completion of the testing and provide for expert witness caucusing. Accordingly, Watercare is directed to report back again on progress by **Friday 11 September 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

For and on behalf of the Hearing Commissioners



Philip Brown

Chairperson

14 July 2020