

HUTT CITY COUNCIL
RM240334
LAND USE CONSENT – PROPOSED CLEANFILL
1044 COAST ROAD, WAINUIOMATA
MINUTE 4 OF THE INDEPENDENT HEARING COMMISSIONER

Introduction

1. In my previous minute I addressed requests from two submitters for a hearing deferral. I reserved my position on the request relating to stormwater matters, pending my review of the evidence from the applicant's flooding expert.
2. I have now reviewed that evidence, along with a letter¹ prepared by the same author, which was circulated to all parties by Ms Shetty last Thursday evening (27 November 2025). I refer to this as 'the Letter' hereafter.
3. The general purpose of this Minute is to confirm my position on the request for hearing deferral. I also briefly address the matter of landscape evidence from submitters following requests I made in Minutes 2 and 3.

Hearing to proceed as scheduled

4. As noted in Minute 3 the relevant submitter request for hearing deferral derived from the Council's reporting planner signalling in his Section 42A Report that he is unable to reach a conclusion on flooding effects due to a lack of information available on stormwater flows.
5. Having reviewed the Letter and the applicant's flooding evidence, I understand the author has updated the flood model used to inform the application to account for matters raised in submissions, including concerns that the proposed cleanfill could worsen local flooding effects from runoff entering the application site from local tributary sub-catchments. Examples of factors that are cited as being added in the model update include:
 - (a) increasing the 'roughness' assumption used in the model to account for heavy vegetative growth in local watercourses;
 - (b) addition of assumed stormwater inflows from local sub-catchments;
 - (c) confirmation that the model assumes local culverts will be completely blocked during flooding events; and
 - (d) assessment of an additional 'sensitivity' scenario which assumes a further 50% increase in flows coming from surface runoff from local hill sub-catchments.
6. I have not formed a view on the merits of the material provided at this early stage, and I anticipate that submitters and the Council's experts may well address this information at the hearing. I will also take the opportunity to ask the author questions on the model assumptions and interpretation at the hearing.

¹ Letter from Philip Wallace to Elliot Thornton titled '1044 Coast Rd, Wainuiomata – Further Information Request re Flood Modelling', dated 23 November 2025

7. Regarding the *scope* of the information, however, I do not consider any procedural fairness issues are arising for participants that warrant a deferral of the hearing. Updates of this nature are not unusual in applications such as this, particularly where the additional assessment has been prompted specifically to address matters raised in submissions and by Council's experts.
8. Accordingly, the hearing remains set down to commence at 9:30am on Monday 15 December.
9. As confirmed in Minute 3, submitters are not required to provide any presentation materials in advance of the hearing unless they are calling expert evidence, which is due next Monday 8 December 2025 at 3pm.

Submitter landscape evidence

10. I previously asked submitters to confirm whether they intend to call landscape evidence by last week so that I could set down a schedule for receiving that information (if provided).
11. Ms Shetty confirmed to me on Friday 28th November that no submitter confirmed the intention to call landscape evidence. I accordingly am proceeding on the basis that submitters will not be calling such evidence, and there is no need for me to set down any scheduling directions on this matter.

From here...

12. I will be carrying out my first site and locality visit next week. Thanks to those parties who have provided suggestions to Ms Shetty for areas I should visit.
13. If any party has any questions regarding the above, they should contact Ms Shetty in the first instance.



J C Jones (Chair)
Independent Hearing Commissioner

2 December 2025