
MINUTE 9 OF THE EXPERT PANEL

Follow-up to Response to Comments

Mt Welcome, Pukerua Bay, Porirua Project

FTAA-2603-1181

(12 August 2026)

[1] Following receipt and the panel's initial review of the applicant's response to comments, it is clear that a large number of technical issues remain in contention.

[2] The Panel considers that it would be assisted if the relevant experts providing evidence on key issues conference and produce a joint witness statement.

[3] In relation to ecological issues, the issues may be compartmentalised into three topics. The topics and the relevant experts are:

- (a) Herpetofauna - Tony Payne (applicant), Chris Wedding (Department of Conservation), Dr Nyree Fea (Porirua City Council);
- (b) Other terrestrial ecology - Dr Vaughan Keesing (applicant), Tayla Hooker (Department of Conservation), Dr Nyree Fea (Porirua City Council);
- (c) Freshwater ecology and wetlands - Dr Vaughan Keesing and Katy Grant (applicant), Dr Gareth Taylor and Melanie Dixon (Greater Wellington Regional Council), Dr Kathryn Collins and Tayla Hooker (Department of Conservation), Dr Nyree Fea (Porirua City Council).

[4] The Panel directs that these experts conference on their respective topics and provide a Joint Witness Statement consistent with their obligations under the Environment Court Code of Practice for Experts not later than noon on Friday

21 August. In relation to freshwater ecology and wetlands, Te Rūnanga o Toa Rangatira has addressed these matters through their Cultural Values Assessment, engagement with the applicant, and comments provided to the Panel. We consider that the discussion of technical experts would benefit from an understanding of the cultural perspective on those matters. In acknowledgement of this, and the Ngāti Toa Rangatira Claims Settlement Act, the Panel considers it appropriate that up to two representatives of Te Rūnanga o Toa Rangatira with expertise in the cultural aspects of ecology/te taiao be invited to participate in the conferencing, should they wish. We request that Ms Jaspers advise Ms Richardson if Te Rūnanga o Toa Rangatira wishes to participate.

[5] If conference participants are unable to address all relevant issues in the time available, the Panel would appreciate their prioritising agreement or narrowing of areas of disagreement on the following matters:

- (a) In relation to herpetofauna:
 - (i) The extent of relevant lizard habitat on site;
 - (ii) The significance of lizard species likely to be present;
 - (iii) The appropriateness of the proposed relocation areas.
- (b) In relation to terrestrial ecology:
 - (i) The relative significance of SNA areas proposed to be cleared;
 - (ii) The extent of indigenous vegetation requiring offsetting;
 - (iii) The factor used to derive the extent of appropriate offsetting.
- (c) In relation to freshwater ecology and wetlands:
 - (i) The effectiveness of wetlands as ecological mitigation/offset if they are utilised as a primary stormwater retention and flood control measure;
 - (ii) The extent of natural internal wetlands affected with and without application of the pasture exception;
 - (iii) The extent of appropriate mitigation/ offsetting in both cases;
 - (iv) Options to mitigate/offset/compensate for Taupō Stream effects within the same catchment;

- (v) The appropriateness of limiting provision of fish passage when downstream passage is constrained; and
- (d) In all three spheres, feedback on proposed conditions where that would assist resolution of outstanding issues.

[6] As previously foreshadowed, the Panel has directed the EPA to appoint Dr Gary Bramley to provide it with a peer review report on ecological issues. The distance that the relevant experts are apart in their opinions also suggests to the Panel that conferencing would be assisted if Dr Bramley facilitates conferencing. He will be in touch with the experts concerned to make the necessary logistical arrangements.

[7] The other area in respect of which the Panel considers that it would be assisted by conferencing is in relation to stormwater, wastewater and earthworks management and water supply infrastructural requirements. The relevant experts are Kyle Dirse and Katy Grant (applicant), James Blyth and Andrés Roa (Greater Wellington Regional Council), David Wilson and Zeean Brydon (Tiaki Wai).

[8] As with ecology, the Panel has appointed an independent expert to provide it with a peer review report on these matters, Mr Darcy Brittliff (Orogen). Mr Brittliff will facilitate conferencing and will be in touch with the experts concerned to make the necessary logistical arrangements.

[9] Similarly to ecology issues, the Panel would appreciate if experts on engineering matters prioritise agreement or narrowing of areas of disagreement on the following matters:

- (a) The stormwater modelling carried out by the applicant has used a “cut-off” model approach, calibrated at the hydraulic boundaries to reduce model complexity. The model appears to have been used to confirm preliminary sizes of on-site detention systems and associated outlet control culverts to avoid an increase in instantaneous peak flow. The whole of catchment Awa model identifies significant

downstream flood ponding in extreme events. The downstream flooding identified in the Awa model, for the various critical events is not considered by the applicant's cut-off model. Can the experts discuss the extent (if any) to which the additional stormwater runoff volume generated within the Mt Welcome development, passing through the applicant's proposed stormwater detention systems might increase the depth, extent and/or behaviour of flooding in the lower catchment identified by the Awa model.

- (b) If, as a result of their consideration of stormwater volume having an increased effect on downstream flooding, can the experts consider if it is likely to be achievable to mitigate that effect by increase retention within the site, and if so, what might be the indicative scale of the increase in the retention wetland volume and footprint to avoid increased flooding in the downstream catchment.
- (c) The applicant has provided additional assessment of the potential effectiveness of on-lot storage/re-cycle tanks in their response (PDP 4th August 2026). Can the experts discuss the additional information and confirm the extent of agreement (if any) on that information and update their position on the potential use of this element of stormwater management (and potential reduction on water demand) for the site.
- (d) Can the experts discuss appropriate rain garden design criteria for the site and confirm the extent of agreement on this matter.
- (e) The potential for sediment discharge, during the earthworks phases is proposed to be controlled via approved and monitored ESC processes. Following stabilisation, the stormwater retention wetlands systems are to be commissioned. However, on-going house build activity, which often involves site clearing and exposure of un-stabilised surfaces, and potential erosion of open water courses between stormwater discharge headwall and the retention wetland facilities could be a source of further sediment discharge to the system. Can the experts discuss the extent (if any) these additional

potential sources of sediment could contribute to downstream sediment load and would this impact on the operation and maintenance of the retention wetland systems.

- (f) The current concept designs for the retention wetlands appear to have limited facilities for access for future operation and maintenance and less than that required by Taiki Wai. Can the experts discuss to what extent the preliminary design can be improved to provide appropriate access.
- (g) Some of the retention wetland systems receive inflow from different sub-catchments discharged in different locations into the basin containing the retention wetland structure. Can the experts discuss if pre-treatment and/or forebay provision is required on these systems and if so, how might that work where there are more than one discharge locations into a system.
- (h) The wastewater modelling presented by the applicant does not consider the full downstream system. Can the experts discuss the potential extent (if any) to which the additional wastewater volume generated within the Mt Welcome development, passing through the Applicant's proposed wastewater detention tank might increase the risk of additional overflows in the downstream wastewater reticulation system. The consideration should include allowance for other developments currently under construction as the experts see fit.
- (i) If the solution for wastewater relies on significant onsite storage to buffer wastewater flows, what is the likely period the detention tank would be expected to operate in a large event, and would that period be such that potential adverse septicity issues could be triggered. If so, could those issues be managed via reasonable engineering infrastructure.

[10] As with ecology issues, a joint witness statement should be filed by noon on 21 August.

[11] If any party considers that relevant experts have been omitted and should be included in conferencing, they should advise Ms Richardson of that as soon as possible.

[12] Looking forward, the Panel's current intention is to schedule online conferences to discuss the joint witness statements with their authors on 27 and/or 28 August. If experts have availability issues that the Panel needs to work around, please advise Ms Richardson accordingly and the Panel will endeavour to accommodate them. It is noted that the Panel's other commitments and the timetable generally mean that sliding into the following week is not an option.

[13] While it is hopeful that the directions it has made will assist its deliberations, it is fair to say that the Panel is concerned regarding the considerable distance the parties are apart on a number of important issues and the shortage of time to resolve those matters. If the applicant is considering requesting a suspension of processing to provide some leeway for offline discussion to occur, it would be helpful if it did so in the near future.

[14] Lastly, we note that one commenting party (Ms D'Oliveira) has provided additional feedback; essentially a reply to the applicant's response. While the Panel appreciates that Ms D'Oliveira no doubt sought only to assist our deliberations, unsolicited comment of this nature is not helpful. We are moving into a phase of intense activity for the Panel (it is apparent from the nature and scale of comments from interested parties, and the applicant's voluminous response to comments, that the intense activity started for them some time ago). Additional input needs to be managed carefully, to ensure a fair procedure for all participants. In summary, if the Panel considers it needs input from parties, it will ask for it, and it will not consider feedback that has not been requested.

A handwritten signature in blue ink, appearing to read 'T. Robinson', with a large, stylized flourish extending downwards and to the right.

Trevor Robinson
Expert Panel Chair