

**BOARD OF INQUIRY
WATERVIEW CONNECTION PROPOSAL**

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Waterview Connection
Proposal**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Board of Inquiry appointed under s149J of the Resource Management Act 1991 to consider applications by New Zealand Transport Authority for resource consents and notices of requirement for the Waterview Connection Proposal.

Board of Inquiry members presiding:

Judge Laurie Newhook
Member Sue Jackson
Member Alan dormer
Member Ross Dunlop
Member Sandra Hardie

MINUTE AND DIRECTIONS OF THE BOARD

MATTERS ARISING FROM 2ND PRE-HEARING CONFERENCE

This direction from the Waterview Board of Inquiry follows the pre-hearing conference on Friday 21 January 2011, at 10.00 am.

Introductions

Judge Newhook introduced Ms Sandra Hardie to attendees. Ms Hardie's appointment to the Board of Inquiry follows the resignation of Mr Gerry Te Kapa Coates from the Board. Judge Newhook also introduced Environment Court Commissioner, Mr Ross Dunlop to attendees. Mr Dunlop had been unable to attend the first pre-hearing conference (PHC).

Members interests

Following the previous disclosure of members' interests at the initial PHC, Judge Newhook outlined the interests of Ms Hardie and Mr Dunlop. Judge Newhook re-invited parties with any concerns regarding member's interests to raise these. No concerns were raised.

Site Visit Itinerary

The Board thanked the representatives for the Auckland Council on the detailed site visit itinerary received at 5pm the night before and provided to all parties. The Board's site visit is to occur on the week Tuesday 8 February 2011. The Auckland Council noted they had received requests for some minor corrections and requested these be made and re-served on all the parties. The Board will review

the itinerary in detail and consult with the parties present in the Courtroom after opening submissions on 7 February 2011.

Caucusing

A request by Ms Batistich representing Unitec for Mr Israelson (a planner) to attend the expert sessions for social impacts was approved.

Shortcomings with the Application

The Board indicated that it intends to issue a Minute to NZTA, and copied to the parties, identifying areas or gaps of information in the application materials. NZTA is required to file a memorandum in response to expressly address the points raised in the Boards Minute.

Visual Aid – Flyover

The Board requested NZTA present the flyover visual aid it has prepared following opening submissions. This will provide a general overview of the project and will be of assistance to parties should they wish to attend the first day of the hearing.

Board Experts / Cross Examination


The Boards experts will be available for cross examination, towards the end of the hearing. Leave must be sought to cross examine the Boards experts in the same way as leave will be sought for all other witnesses.

Summary of Key Dates and Deliverables

Responsible	Key Deliverables	Date
Parties	Provide EPA any dates/times of unavailability during the hearing.	1 Feb 11
EPA	List of submitter appearance order provided to parties.	4 Feb 11
Parties	Seek leave for cross examination by providing the EPA with a list of witnesses and/or Board experts , topic areas and time required.	10am 7 Feb 11
Experts	Caucusing Reports to be provided to the EPA.	10am 7 Feb 11

If you have any questions arising from this Board Direction please do not hesitate to contact the EPA on 0800 H2OVIEW (0800 4268439) or waterview@epa.govt.nz.

For the Board:



Judge L Newhook

Chairman - Waterview Connection Proposal Board of Inquiry

27 January 2011