

30 August 2022

File Ref: OIAP-7-25328

By email: [REDACTED]

Tēnā koe [REDACTED]

Request for information 2022-116

I refer to your request for information dated 28 July 2022, which was received by Greater Wellington Regional Council (Greater Wellington) on 28 July 2022. You have requested the following:

"I am wanting to establish an audit trail of all correspondence, phone calls and file notes between staff or councillors of GWRC and to or from Kapiti Coast District Council staff or councillors or to or from any consultants or contractors or other agencies - regarding the state of recent flooding related to Peka Peka environs and specifically along Paetawa Road/Rutherford Dr.

Grateful if you can provide that information to me - covering the period 1 January 2021 through to today.

In addition to obtaining a complete audit trail of GWRC's knowledge and information covering this emergency situation, I am also endeavouring to establish if the GWRC understands the extent of problems, the issues and catastrophic effects caused to the ratepayers, GWRC's thoughts on solutions and any action they have taken to help or hinder possible solutions, and what urgency GWRC has afforded this growing emergency."

Greater Wellington's response follows:

...[A]ll correspondence, phone calls and file notes between staff or councillors of GWRC and to or from Kapiti Coast District Council staff or councillors or to or from any consultants or contractors or other agencies - regarding the state of recent flooding related to Peka Peka environs and specifically along Paetawa Road/Rutherford Dr.

Please find attached three attachments, which address your request.

We have withheld some information pertaining to names and personal contact information under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987, to protect the privacy of natural persons, including that of deceased natural persons.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold certain aspects of the requested correspondence. As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding parts of the document under the grounds identified above.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Additional information:

Greater Wellington Regional Council acknowledges that flooding has occurred in the Peka Peka environs and also acknowledges the inherent complexity in the relationship between the built and natural environment. At this time, national regulations present challenges to some means of flooding-prevention, however we will continue to provide advice to private landowners and Kāpiti Coast District Council on proposed solutions to address flooding issues

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Al Cross
Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Attachments (3)

[REDACTED]

From: Nigel Corry
Sent: Sunday, 31 July 2022 12:17 pm
To: Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Alistair Cross; Amanda Cox
Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday, 30 July 2022 10:44 pm
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

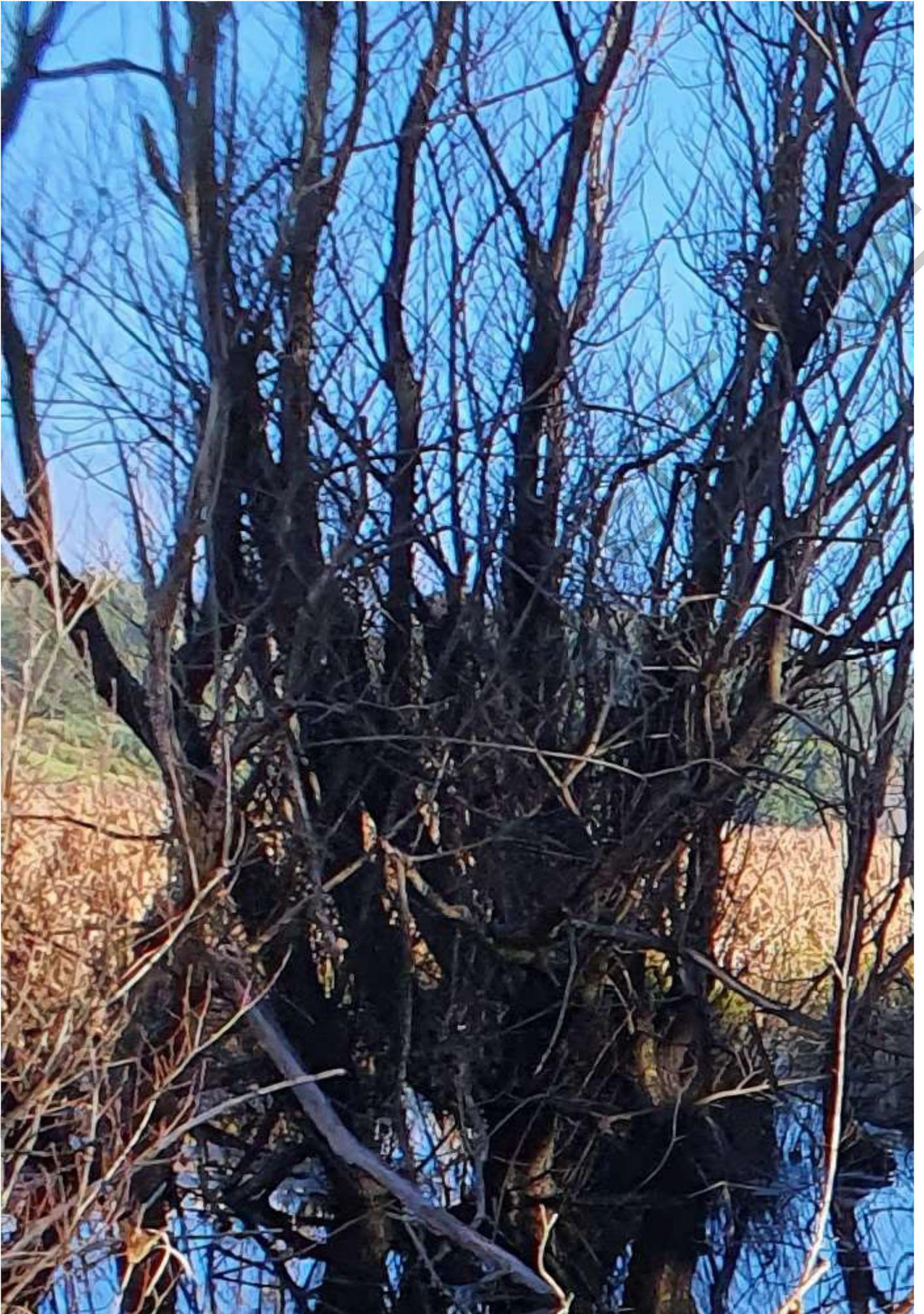
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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 10:37:01 PM
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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

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Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north of the gas line under water - dire.
Driveways and lawns at Peka peka permanently under water. Shocking.

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Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED]
Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline, owned by FirstGas, that's routed through this area has some 1 kilometre of its pipe submerged and therefore, I assume, there is a potential danger to this infrastructure. I understand that following appeals from residents my council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities

under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QE II National Trust Covenant.

I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: Alistair Cross
To: Nigel Corry; Graeme Campbell; Amanda Cox; Shaun Andrewartha
Subject: RE: Paetawa Flood
Date: Monday 1 August 2022 1:12:00 pm
Attachments: image001.png
image002.png
image003.png
image004.png

Yes spot on Nige

From: Nigel Corry <Nigel.Corry@gw.govt.nz>
Sent: Monday 1 August 2022 11 47 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Subject: RE: Paetawa Flood
Importance: High

Thanks everyone for this; so what's the next steps that can reasonably inform an email back to Guru do you think? Just a basic thanks for the email we are very much aware of the complex issues and that were working hard with the KCDC team and a fuller response/meeting will come ASAP??

Nige

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday 1 August 2022 9 40 am
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: RE: Paetawa Flood

Agree Penny

Sean Mallon also on to this.

Al

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Monday 1 August 2022 9 22 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Paetawa Flood

Morena

Al - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people.
As per the pic I sent through.

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday August 1 2022 8 44 56 AM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
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I pushed send before final check.

Please use THIS version instead

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Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary

- **Context** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNNP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team I firmly believe there's a way through it.
- **KCDC approach** KCDC is planning for both emergency works and possible longer term regular maintenance works.
- **Emergency works** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term but unlikely to cover the full KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible and if this does come to pass my team would work positively and constructively with KCDC to work this through.
- **Consenting time-frames** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests** Flood Protection interests downstream on the Waimeha Stream – **Graeme** please fill in the gaps here.
- **Next regulatory steps** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

Al

 **Al Cross (he/him)**
Kaiwhakahaere Matua Taiao | General Manager Environment Management
Greater Wellington Te Pane Matua Taiao
DDI: 027 201 3571
100 Cuba Street Te Aro Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

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Names: & Kia Ora Daran and Nigel

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Mayor
Koromatua

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Tel 04 2964 757

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I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday 1 August 2022 8 40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary

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Happy to support action to respond to the Mayor.

Al



Al Cross (he/him)
Kaiwhakahaere Matua Taiao | General Manager Environment Management
Greater Wellington Te Pahi Matua Taiao
DDI: 027 201 3571
100 Cuba Street Te Aro Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnunathan <k.gurnunathan@kapiticoast.govt.nz>

Sent: Friday July 29 2022 7 06 25 PM

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED] <[REDACTED]>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councilor Jocelyn Pryanov <jocelyn.Pryanov@kapiticoast.govt.nz>; Jim Bolger <[REDACTED]>; Mayor K Gurnunathan <k.gurnunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel

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Regards

Mayor Guru

K Gurnunathan JP MA
Mayor
Koromatua

Kapiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: [Alistair Cross](#)
To: [Penny Gaylor](#); [Nigel Corry](#); [Daran Ponter – Chair](#); [Graeme Campbell](#); [Amanda Cox](#)
Subject: RE: Paetawa Flood
Date: Monday 1 August 2022 9:39:00 am
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Agree Penny

Sean Mallon also on to this.

Al

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Subject: Re: Paetawa Flood

Morena

Al - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people. As per the pic I sent through.

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Response?

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Sent: Friday July 29 2022 7 06 25 PM

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councilor Jocelyn Pryanov <jocelyn.Pryanov@kapiticoast.govt.nz>; Jim Bolger

[REDACTED] Mayor K Gurnunathan <k.gurunathan@kapiticoast.govt.nz>

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K Gurnunathan JP MA
Mayor
Koromatua

Kapiti Coast District
Tel 04 2964 757

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From: Alistair Cross
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles
Subject: RE: Paetawa Flood
Attachments: FW: Kawakahia Community Group

Kia ora koutou

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AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

From: Nigel Corry <Nigel.Corry@gw.govt.nz>
Sent: Sunday, 31 July 2022 12:17 pm
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
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Sent: Saturday, July 30, 2022 10:37:01 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood





Al, Graeme, and I are dealing with this.
We all know the situation.
I was there with the residents on Friday getting a tour.
I'd love a chance for an update on my intel.
Code Name - the Kapiti Lakes district.
A staggering amount of water sitting on farmland.
As locals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.
Kcdc working the consents application.
Lodging soon.
Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.
Driveways and lawns at Peka peka permanently under water. Shocking.

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Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED]
Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline, owned by FirstGas, that's routed through this area has some 1 kilometre of its pipe submerged and therefore, I assume, there is a potential danger to this infrastructure. I understand that following appeals from residents my council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities

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Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



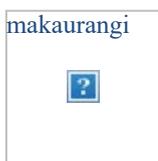
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PROACTIVE RELEASE

From: [Graeme Campbell](#)
To: [Alistair Cross](#); [Nigel Corry](#); [Penny Gaylor](#); [Daran Ponter – Chair](#); [Amanda Cox](#)
Cc: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#)
Subject: RE: Paetawa Flood
Date: Monday, 1 August 2022 9:59:10 am
Attachments: [image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.png](#)
[Waimeha Ngarara Stream maintenance.png](#)

Notes added below. I have also added the plans from the watercourses agreement with GW in blue and KCDC in yellow

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:45 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
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Subject: RE: Paetawa Flood

I pushed send before final check.

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Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
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Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team, I firmly believe there's a way through it.
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- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests:** Flood Protection interests downstream on the Waimeha Stream. **GWRC primarily undertake the maintenance work on the Waimeha Stream at the mouth (coastal section) and then the Waimeha stream above the confluence with the Ngarara Stream. The area that are of concern at this stage are those bits on the Ngarara Stream above the confluence with the Waimeha.**
- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

Al



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Nigel Corry <Nigel.Corry@gw.govt.nz>

Sent: Sunday, 31 July 2022 12:17 pm

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED].

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

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Cc: [REDACTED]

Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger ([REDACTED])

[REDACTED] Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>

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K Gurunathan JP MA
Mayor
Koromatua

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Tel 04 2964 757

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From: [Penny Gaylor](#)
To: [Alistair Cross](#); [Nigel Corry](#); [Daran Ponter – Chair](#); [Graeme Campbell](#); [Amanda Cox](#)
Cc: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#); [Alistair Cross](#)
Subject: Re: Paetawa Flood
Date: Monday, 1 August 2022 9:21:38 am
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

Morena

Al - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people.
As per the pic I sent through.

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, August 1, 2022 8:44:56 AM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
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I pushed send before final check.

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Al

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AI



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Kcdc wirking the cobsent application.

Lodging soon.

Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.

Driveways and lawbs at Peka peka permanently under water. Shocking.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Sent: Saturday, July 30, 2022 7:45:11 PM

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

Sent: Friday, July 29, 2022 7:06:25 PM

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED];

Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov

<Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger ([REDACTED])

[REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline, owned by FirstGas, that's routed through this area has some 1 kilometre of its pipe submerged and therefore, I assume, there is a potential danger to this infrastructure. I understand that following appeals from residents my

council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QE II National Trust Covenant.

I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland.

It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively

and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatuā

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: [Alistair Cross](#)
To: [Nigel Corry](#); [Penny Gaylor](#); [Daran Ponter – Chair](#); [Graeme Campbell](#); [Amanda Cox](#)
Cc: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#); [Alistair Cross](#)
Subject: RE: Paetawa Flood
Date: Monday, 1 August 2022 8:45:02 am
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team, I firmly believe there's a way through it.
- **KCDC approach:** KCDC is planning for both emergency works, and possible longer term regular maintenance works.
- **Emergency works:** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take, but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term, but unlikely to cover the full KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible, and if this does come to pass my team would work positively and constructively with KCDC to work this through.

- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests:** Flood Protection interests downstream on the Waimeha Stream – **Graeme**, please fill in the gaps here.
- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

Al



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Nigel Corry <Nigel.Corry@gw.govt.nz>

Sent: Sunday, 31 July 2022 12:17 pm

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Sent: Saturday, July 30, 2022 10:37:01 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, July 30, 2022 7:55:01 PM

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Al, Graeme, and I are dealing with this.

We all know the situation.

I was there with e residents on Friday getting a tour.

I'd love a chance for an update on my intel.

Code Name - the Kapiti Lakes district.

A staggering amount of water sitting on farmland.

As licals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.

Kcdc wirking the cobsent application.

Lodging soon.

Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.

Driveways and lawbs at Peka peka permanently under water. Shocking.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Sent: Saturday, July 30, 2022 7:45:11 PM

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

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It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: [Amanda Cox](#)
To: [Nigel Corry \(Nigel.Corry@gw.govt.nz\)](#); [Alistair Cross](#); [Graeme Campbell](#); [Shaun Andrewartha](#)
Subject: Draft reply to Guru re Paetawa Flood
Date: Monday, 1 August 2022 4:31:00 pm
Attachments: [image001.png](#)

Kia ora tatou

Here's a first draft for Nige to send to Guru. Al & Graeme thanks so much for the bullet points you sent through.

The last para is my first crack at agreeing this is a major challenge, and I'm sure it could be improved! Any suggestions much appreciated.

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing an issue that's both urgent and complex to our attention. I am replying on behalf of Daran, as this primarily sits with GW officers to resolve at this point. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

Firstly let me note that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.

In summary there are several key points at the top of our minds

- **Context:** *This is a highly complex situation. The stream is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation team, we firmly believe there's a way through it.*
- **KCDC approach:** *We understand that KCDC is planning for both emergency works, and possible longer term regular maintenance works.*
- **North Island gas main:** *Part of the main gas line is now submerged in water, and this has now come to the attention of First Gas, the pipeline operator.*
- **Emergency works:** *As discussed with Sean Mallon, KCDC can undertake emergency works as a network utility provider. This is your decision to take, noting that we have advised Sean to seek advice to make sure your approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term, but they are unlikely to cover the full KCDC/residents gamut of interest / opportunity.*

Retrospective consenting (following actual emergency works) is also quite possible, and if this does come to pass GW's E Reg team would work positively and constructively with KCDC through the necessary process.

- **Consenting time-frames:** *Retrospective consenting and particularly longer term global*

maintenance consenting will likely take months rather than weeks to work through.

- **GW operational interests:** *GW Flood Protection primarily undertakes the maintenance work on the Waimeha Stream at the mouth (coastal section) and then the Waimeha stream above the confluence with the Ngarara Stream. The areas of concern at this stage are those bits on the **Ngarara Stream** above the confluence with the Waimeha.*
- **Next regulatory steps:** *Alongside emergency works considerations. Sean Mallon and his team need to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.*

Noting all these points above, we also recognise the wider issues and longer term challenges to be addressed, through working together and with the community in a highly collaborative manner. We will have the opportunity to do so through development of the Kāpiti Whaitua Committee's development of their Implementation Programme. However, this situation is one example of a broader challenge for all of us working in this space, and it will remain a strategic priority for us over the next number of years. GW looks forward to working with KCDC and our partners on finding ways forward to resolution.

Ngā mihi

Amanda

makaurangi



Amanda Cox (she/her)

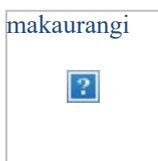
Kaitohutohu Matua ki te Heamana | Principal Advisor to the Chair
Greater Wellington Te Pane Matua Taiao
DDI 04 830 4126 : M 027 289 7261
100 Cuba St, Te Aro, Wellington 6011

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From: [Graeme Campbell](#)
To: [Alistair Cross](#); [Nigel Corry](#); [Penny Gaylor](#); [Daran Ponter – Chair](#); [Amanda Cox](#)
Cc: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#)
Subject: RE: Paetawa Flood
Date: Monday, 1 August 2022 9:59:10 am
Attachments: [image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.png](#)
[Waimeha Ngarara Stream maintenance.png](#)

Notes added below. I have also added the plans from the watercourses agreement with GW in blue and KCDC in yellow

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:45 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>

Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team, I firmly believe there's a way through it.
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- **GWRC operational interests:** Flood Protection interests downstream on the Waimeha Stream. **GWRC primarily undertake the maintenance work on the Waimeha Stream at the mouth (coastal section) and then the Waimeha stream above the confluence with the Ngarara Stream. The area that are of concern at this stage are those bits on the Ngarara Stream above the confluence with the Waimeha.**
- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

Al



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Nigel Corry <Nigel.Corry@gw.govt.nz>

Sent: Sunday, 31 July 2022 12:17 pm

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

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Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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Sent: Saturday, July 30, 2022 10:37:01 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Can we clear the work as "emergency"?

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>

Sent: Friday, July 29, 2022 7:06:25 PM

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED]

Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED]

[REDACTED]; Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland.

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: Nigel Corry
Sent: Monday, 1 August 2022 11:47 am
To: Alistair Cross; Graeme Campbell; Amanda Cox; Shaun Andrewartha
Subject: RE: Paetawa Flood

Importance: High

Thanks everyone for this; so, what's the next steps that can reasonably inform an email back to Guru do you think? Just a basic thanks for the email, we are very much aware of the complex issues, and that were working hard with the KCDC team and a fuller response/meeting will come ASAP??

Nige

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 9:40 am
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: RE: Paetawa Flood

Agree Penny

Sean Mallon also on to this.

Al

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Monday, 1 August 2022 9:22 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Paetawa Flood

Morena

Al - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people.
As per the pic I sent through.

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, August 1, 2022 8:44:56 AM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

AI

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Sent: Monday, 1 August 2022 8:40 am

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Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

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Happy to support action to respond to the Mayor.

AI



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Subject: RE: Paetawa Flood

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And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

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Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
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Tel 04 2964 757

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PROACTIVE RELEASE

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Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles
Subject: RE: Paetawa Flood
Attachments: FW: Kawakahia Community Group

Kia ora koutou

See attached.

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AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Subject: Paetawa Flood

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I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QE II National Trust Covenant.

I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: Alistair Cross
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles
Subject: RE: Paetawa Flood
Attachments: FW: Kawakahia Community Group

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice on Shaun and his team, firmly believe there's a way through it.
- **KCDC approach:** KCDC is planning for both emergency works, and possible longer term regular maintenance works.
- **Emergency works:** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take, but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works could therefore probably be undertaken in the short term, but unlikely to cover their full or KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible, and if this does come to pass my team would positively and constructively with KCDC to work this through.
- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests:** Flood Protection interests downstream on the Waimeha Stream – **Graeme**, please fill in the gaps here.
- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

From: Nigel Corry <Nigel.Corry@gw.govt.nz>
Sent: Sunday, 31 July 2022 12:17 pm
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru, do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday, 30 July 2022 10:44 pm
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

Get [Outlook for Android](#)

From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 10:37:01 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday, July 30, 2022 7:55:01 PM
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood





Al, Graeme, and I are dealing with this.
We all know the situation.
I was there with the residents on Friday getting a tour.
I'd love a chance for an update on my intel.
Code Name - the Kapiti Lakes district.
A staggering amount of water sitting on farmland.
As locals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.
Kcdc working the consents application.
Lodging soon.
Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.
Driveways and lawns at Peka peka permanently under water. Shocking.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 7:45:11 PM
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

Get [Outlook for iOS](#)

From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]
Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

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PROACTIVE RELEASE

From: [Nigel Corry](#)
To: [Mayor K Gurunathan](#); [Daran Ponter – Chair](#); [Penny Gaylor](#); [Alistair Cross](#); [Amanda Cox](#)
Cc: [REDACTED]; [REDACTED]; [Councillor Jocelyn Pryanov](#); [REDACTED]
Subject: RE: Paetawa Flood
Date: Tuesday, 2 August 2022 9:53:12 am
Attachments: [image002.png](#)
[image003.png](#)

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing to our attention an issue that's both urgent and complex. I am replying on behalf of Daran, as this primarily sits with GW officers to respond to at this point, working with the KCDC team. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

Firstly let me note my understanding is that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected with [REDACTED], the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.

In summary there are several key points at the top of our minds:

- **Context:** This is a highly complex situation. The Ngarara Stream is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation (EReg) team, we firmly believe there's a way through it despite the high level of regulatory protection.
- **KCDC approach:** We understand that KCDC is planning for both emergency works, and possible longer term regular maintenance works.
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conversation with residents.

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GW Flood Protection has experience in applying for consents to work in highly modified watercourses and we are happy to share lessons learned if that might be useful to KCDC in applying for global consents.

Noting all these points above, we also recognise the wider issues and longer term challenges to be addressed, through working together and with the community in a highly collaborative manner. We may have the opportunity to do so through the Kāpiti Whaitua Committee's development of their Whaitua Implementation Programme.

However, as you noted this situation is one example of a broader challenge for all of us responding to the emerging climate change situation, and it will remain a strategic priority for us over a good number of years to come. GW looks forward to working with KCDC and our partners on finding ways forward to resolution.

Ngā mihi

Nigel



Nigel Corry (he/him)

Tumu Whakarae | Chief Executive

Greater Wellington Te Pane Matua Taiao

027 461 7142

100 Cuba St, Te Aro, Wellington 6011

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

Nigel

From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> **On Behalf Of** Mayor K Gurunathan

Sent: Friday, 29 July 2022 7:06 pm

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED] Penny Gaylor

<Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov

<Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]

[REDACTED]; Mayor K Gurunathan

<k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

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K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

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From: [Amanda Cox](#)
To: [Nigel Corry \(Nigel.Corry@gw.govt.nz\)](mailto:Nigel.Corry@gw.govt.nz)
Cc: [Alistair Cross](#); Graeme.Campbell@gw.govt.nz; [Shaun Andrewartha](#)
Subject: FW: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:28:00 am
Attachments: [image002.png](#)
[image003.png](#)

Hi Nige

Final version for you ready to cut & paste to send to Guru (cc Daran)

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing to our attention an issue that's both urgent and complex. I am replying on behalf of Daran, as this primarily sits with GW officers to respond to at this point, working with the KCDC team. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

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Ngā mihi etc

Nigel

Ngā mihi

Amanda
027 289 7261

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Tuesday, 2 August 2022 9:07 am

To: Amanda Cox <Amanda.Cox@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>

Subject: RE: Draft reply to Guru re Paetawa Flood

I have put a bit more in my area if you think it is helpful or adjust as necessary

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

From: Amanda Cox <Amanda.Cox@gw.govt.nz>
Sent: Tuesday, 2 August 2022 9:00 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: RE: Draft reply to Guru re Paetawa Flood

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027 289 7261

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PROACTIVE RELEASE

From: [Amanda Cox](#)
To: [Shaun Andrewartha](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:21:00 am
Attachments: [image001.png](#)
[image002.png](#)

Great, thanks Shaun. Yep that needed fixing! All good.

Ngā mihi

Amanda
027 289 7261

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Tuesday, 2 August 2022 9:21 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>
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From: [Shaun Andrewartha](#)
To: [Graeme Campbell](#); [Amanda Cox](#); [Alistair Cross](#); [Nigel Corry](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:20:43 am
Attachments: [image001.png](#)
[image002.png](#)

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PROACTIVE RELEASE

From: [Amanda Cox](#)
To: [Graeme Campbell](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:17:00 am
Attachments: [image001.png](#)
[image002.png](#)

Thanks Graeme – good to note and offer KCDC that assistance

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027 289 7261

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Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 8:59:00 am
Attachments: [image001.png](#)

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From: [Alistair Cross](#)
To: [REDACTED]; [Paul Busing](#); [Sean Mallon](#)
Cc: [Jude Chittock](#); [Joshua Knowles](#)
Subject: RE: Ngarara Stream Clearance Planning Activities
Date: Friday, 5 August 2022 12:29:16 pm
Attachments: [image001.png](#)

Thanks [REDACTED] for this, and just connecting together.

Just to clarify further, the scope of the emergency works actions sit to KCDC alone to determine.

This may or may not include a full reach of vegetation clearance on the Ngarara Stream.

Emergency works enables work to be undertaken and related retrospective consent requirements (if any) to determined following works.

GW also doesn't need to see a plan of action ahead of emergency works.

Hope that helps the consideration and collectively getting on the same page.

Ngā mihi

Al



Alistair Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: [REDACTED]
Sent: Friday, 5 August 2022 12:05 pm
To: Paul Busing <Paul.Busing@kapiticoast.govt.nz>
Cc: Sean Mallon <Sean.mallon@kapiticoast.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Ngarara Stream Clearance Planning Activities
Importance: High

Paul, I thought I'd come back to you quickly, following our discussion this morning, and the subsequent call I placed with Al Cross ... as a couple of useful clarification points have emerged.

Firstly, the immediate plan you are working on to clear the remainder of vegetative blocking in

the Ngarara Stream, does not need to be shared with GWRC. Al is firmly of the opinion that this falls within the emergency powers provision, and is entirely for KCDC to develop and apply, in completing the urgent tasks at hand.

Secondly, an action plan covering a longer term view of remedial and/or maintenance activities in and around the Ngarara Stream, does need to be shared with GWRC. At this stage it's more important that the substantive components are presented, so that consenting-related discussions can get underway - but preparation of that should not get in the way of the immediate actions required for stream clearance.

Thirdly, and just to reiterate this, KCDC's ability to institute and complete the envisaged urgent clearance of this modified waterway, can be fully completed under the emergency powers provisions ... which Al is sure allows KCDC to circumvent the normal consenting process (for that scope of work only), to complete the clearance activities in the shortest time possible.

Hope this helps in moving things forward Paul.

Speak to you later.



PROACTIVE RELEASE

From: [REDACTED]
To: [Alistair Cross](#)
Subject: Kawakahia Community Group
Date: Tuesday, 26 July 2022 11:20:56 am
Importance: High

Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

Can you please provide date or time we can have that call, or contact me directly on [REDACTED] ?

Speak to you later.

[REDACTED]

PROACTIVE RELEASE

From: [Joshua Knowles](#)
To: [Alistair Cross](#); [Jude Chittock](#)
Subject: RE: Community Group - flooding
Date: Tuesday, 26 July 2022 1:07:49 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Al,

As discussed [REDACTED] represents the Kawakahia Community Group, I think this all relates to the Te Harakeke Wetland/ Ngarara Stream flooding issue that we were all discussing last week.

Thanks,



Josh Knowles (he/ him)
Kaitohutohu / Resource Advisor
Greater Wellington Te Pane Matua Taiao
Mobile: 021 346778
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, 26 July 2022 12:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Community Group - flooding

Josh, Jude

Have you has any dealings with [REDACTED] (see below) in your recent Kapiti work?

Al

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Tuesday, 26 July 2022 11:49 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>; Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>
Subject: RE: Community Group - flooding

Hi

Not sure about this. I have a suspicion that this is actually about others meeting or being required to have consents for activities in drains, watercourses and wetlands rather than GW flood protection activities. I will give him a call but likely to require someone from E reg to follow up

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>

Sent: Tuesday, 26 July 2022 9:14 am

To: Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>

Subject: FW: Community Group - flooding

Hi Graeme and Wayne

This email below came from the contact centre. But it's about FP so we have forwarded it on to you to respond back to [REDACTED].

Kindest regards

Sharon

From: Alistair Cross <Alistair.Cross@gw.govt.nz>

Sent: Tuesday, 26 July 2022 8:43 am

To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>; Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Subject: Re: Community Group - flooding

Yes, for Wayne and Graeme I think?

[Al Cross \(he/him\)](#)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>

Sent: Tuesday, July 26, 2022 8:31 AM
To: Alistair Cross
Subject: FW: Community Group - flooding

This should be for Flood Protection?

Ngā mihi
Shaz

From: Sarah Newman <Sarah.Newman@gw.govt.nz>
Sent: Tuesday, 26 July 2022 8:31 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Subject: Community Group - flooding

Kia ora Sharon,

██████████ from Kawakahia (a community group in Peka Peka) wanted to set up a meeting with Al Cross regarding flooding in Peka Peka. I said I would pass his details on.

M – ██████████
E – ██████████

Cheers,



Sarah Newman
Contact Centre Operator | Kaimahi Pokapū Whakapā
Greater Wellington Te Pane Matua Taiao
100 Cuba St, Te Aro, Wellington 6011
PO Box 11646, Manners St, Wellington 61421056
Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

PROACTIVE RELEASE

From: [Jude Chittock](#)
To: [Alistair Cross](#)
Subject: FW: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 1:34:42 pm
Attachments: [image001.png](#)
[image002.png](#)

Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you about

Cheers
Jude

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Tuesday, 26 July 2022 1:23 pm
To: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Just fyi and noting Jacky is away on leave at the moment

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:48 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers

Graeme Campbell

Manager, Flood Protection



Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>

Sent: Wednesday, 20 July 2022 2:42 pm

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop.

Cheers

Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Wednesday, 20 July 2022 1:41 pm

To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? I am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,
P O Box 11646, Wellington 6142

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.
Here's a thread on the Ngarara stream as per our discussion.
Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi
I met with Graham Campbell on Thursday.
He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Sunday, July 17, 2022 1:18:42 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,
It would be great if you could please provide me with an update on how any meetings and other discussions/activities went last week to progress removing the weed from the Ngarara Stream ASAP, in terms of the email below.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700

From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Wednesday, July 13, 2022 9:52 AM
To: Penny Gaylor <penny.gaylor@gw.govt.nz>
Subject: Fw: A Reversal ... and a Disaster in the Making

Hi Penny,

I just wanted to keep you in the loop with what is happening. Below is the latest email that has gone to KCDC.

Someone called Nick Pearson

Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

has been providing information to Paul Busing about various non-complying activities that need to be met namely:

1. R54 of the Resource Management (NESF) Regulations.

Within the 50 member Peka Peka group, questions have been asked about whether a resource consent was issued to allow the wetland to expand, and that damming, diverting and discharging water within 100 m of a wetland stated in R54(c) (because of a lack of maintenance) is a non-complying activity which has caused all these problems in the first instance but has been overlooked.

2. The other rule that Nick quoted is Rule R110 of the proposed Natural Resourced Plan.

I can't find any draft of it and from what I can see this plan is not operational because it's going through an appeal process, so I don't understand how this can be referred to. From what I can see it's the regional plan that is the operational plan. Is this correct? Within it there are sections that are highly relevant to the situation in Peka Peka namely:

<https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/>, <https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/> and <https://archive.gw.govt.nz/floodplain-management-planning/>.

It seems to me that so far this is being driven from an office desk in Wellington rather than looking at the situation on the ground and finding a way through this quagmire. Hopefully though, you can work your way through this by talking to others in GW who will take a pragmatic and practical approach to solving the problem in the very near future.

I look forward to hearing from you at the end of the week, and how you have got on talking to Graham Winterburn and Graham Campbell and maybe others.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Tuesday, July 12, 2022 4:30 PM
To: [REDACTED]
Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]
[REDACTED] Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]
[REDACTED]; Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Disna/Sean, we need to set a date for the meeting with a suitably senior GWRC representative, given that we're all seeking their pragmatic approval to resume the clearance of the Ngarara Stream - at least from the Black Drain and Ngarara Stream convergence, down to the Waikanae Golf Course.

The urgency of this continues to be of critical importance to peoples' livelihoods, health and safety, and mental wellbeing.

I've just received an E-Mail from Paul Busing, where he's forwarded the latest response from GWRC, regarding their position, and the fact they can't meet with us this week.

Of the date options Paul mentions, the week beginning 28 July is far too late, and we really need it to happen as early as possible in the week beginning 18 July. I understand that Jocelyn is going to be away at conference later that week, so ideally we need to organise the session on Monday or Tuesday (18th or 19th July).

As you know, their representative needs to be senior enough to quickly authorise stream-clearance even if it means retrospectively issuing a consent, if one is in fact needed ... and also familiar enough with this part of their portfolio, that they understand the big picture, and that a middle ground is both being sought, and is possible.

The stated requirement for a GWRC resource consent being necessary, is in direct contrast to that provided by [REDACTED] when he meet with us on 1 July at the Pharazyn Reserve. He stated that no resource consent was required from GWRC, when vegetation only was to be removed from the Ngarara Stream in the vicinity of the wetland area.

An apparent paradox in respect of this stuff, is that a resource consent is required to extend a wetland because of any unplanned negative effects. It is my understanding that no resource consent or consents have been issued to permit the wetland areas to the north and south of the Pharazyn Reserve to be extended. Could you confirm if this is correct please ?

As I understand it, you are keen to identify a suitable window for the resumption and completion of this work. This must be completed by the end of August, if we are not to be stopped in our tracks by the season of fish migration and spawning.

Assuming 16 days is required to complete the work (based on the Goodmans estimate), that work must commence no later than 10 August.

We are keen to know what KCDC staff are doing as background work to expedite this process, and whether our group can help in any way.

For your further information, please be aware that we met with the party who raised some concerns about the nature of the clearance recently completed to the drain adjacent to the Black Swamp.

While they had concerns about how some of that vegetation was removed, they are in full agreement that the balance of the Ngarara Stream clearance should go ahead ... and quickly.

They also reaffirmed our view that any undue delay will see further inundation and damage south of the Pharazyn Ponds, should the pond's banks be overwhelmed by the remaining Winter and Spring rain events. An outcome which is highly likely.

Although the Black Drain has recently been cleaned out, water levels near Peka Peka Road have risen by 4 cm. If you work out the area of just that inundated land alone, that is a massive amount of water.

Please get back to us as soon as possible, and we will make ourselves available to meet with the GWRC folks - whether at your office, or (more desirably) on one of the affected properties.

Speak to you later.

[REDACTED]

PS

As discussed on Friday, Jocelyn is keeping Penny Taylor abreast of these matters, and seeking her help for further contact within GWRC, as appropriate.

On 9/07/2022, at 7:49 AM, [REDACTED] wrote:

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.

■

(On behalf of the Kawakahia Community Group)

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

From: [Alistair Cross](#)
To: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#)
Subject: Re: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 6:08:52 pm
Attachments: [image001.png](#)
[image002.png](#)

Thanks for your ongoing great work here Josh and Jude!

Shaun, looping you in, and following conversations I had today with the team and Sean Mallon respectively.

Actions:

- I'll provide Cr Gaylor an update including proposed strategy: to align with KCDC around options for a proposal before agreeing to meet KCDC and residents on site.
- I'll call resident [REDACTED] tomorrow to listen, update him, and discuss our preferred approach.
- KCDC will work on a draft proposal which they'll look to share with us in around a week's time.

Certainly a good deal of heat on this which I'll continue to attempt to manage (both upwards, and over to KCDC) by ensuring that we are joined with KCDC in respective applicant and consent holder roles, and outcomes focus.

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

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From: Jude Chittock <Jude.Chittock@gw.govt.nz>

Sent: Tuesday, July 26, 2022 1:34:39 PM

To: Alistair Cross <Alistair.Cross@gw.govt.nz>

Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you about

Cheers
Jude

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Tuesday, 26 July 2022 1:23 pm
To: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday



Nick Pearson
Kaitohutohu / Senior Resource Advisor, Environmental Regulation
Greater Wellington Te Pane Matua Taiao
DDI: 04 830 4345
100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Just fyi and noting Jacky is away on leave at the moment

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:48 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell
Manager, Flood Protection
Greater Wellington Te Pane Matua Taiao
M: 0274 300 375
T: 04 830 4062
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P O Box 11646, Wellington 6142
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:42 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers
Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 1:41 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? A am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.

Here's a thread on the Ngarara stream as per our discussion.

Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Tuesday, July 19, 2022 10:50:32 AM

To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Hi

I met with Graham Campbell on Thursday.

He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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Sent: Sunday, July 17, 2022 1:18:42 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,

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Kind regards

Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council

Tel 04 296 4700

Mobile 021 111 0825

www.kapiticoast.govt.nz

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Subject: Fw: A Reversal ... and a Disaster in the Making

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Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

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To: [REDACTED]
Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]; [REDACTED] Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>
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Speak to you later.



(On behalf of the Kawakahia Community Group)

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

From: [Alistair Cross](#)
To: [Penny Gaylor](#)
Cc: [Graeme Campbell](#); [Shaun Andrewartha](#)
Subject: Fwd: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 6:13:10 pm
Attachments: [image001.png](#)
[image002.png](#)

Penny

A heads up that I am now connecting with Sean Mallon at KCDC on a joint way forward (proposal and consenting).

I'm keen to briefly speak with you about that.

I've also been approached by resident [REDACTED], who I'll call once I've spoken with you.

Let me know a good time to call you tomorrow.

Thanks

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

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From: Jude Chittock <Jude.Chittock@gw.govt.nz>

Sent: Tuesday, July 26, 2022 1:34 PM

To: Alistair Cross

Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you

about

Cheers

Jude

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Tuesday, 26 July 2022 1:23 pm
To: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Just fyi and noting Jacky is away on leave at the moment

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:48 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:42 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers
Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 1:41 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? A am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.
Here's a thread on the Ngarara stream as per our discussion.
Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi
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Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
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From: [Alistair Cross](#)
To: [REDACTED]
Subject: RE: Kawakahia Community Group
Date: Wednesday, 27 July 2022 1:58:00 pm

Kia ora [REDACTED]

Nice to hear from you, and sorry I couldn't respond until now.

I'm still waylaid by back-to-back meetings today.

Can I call you sometime after 4.30 today?

Ngā mihi

Al

Al Cross (he/him)
Kaiwhakahaere Matua Taiao | General Manager, Environment Management
Greater Wellington Te Pane Matua Taiao
DDI: 027 201 3571
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: Facebook | Twitter | gw.govt.nz

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 26 July 2022 11:21 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Kawakahia Community Group
Importance: High

Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

Can you please provide date or time we can have that call, or contact me directly on [REDACTED] ?

Speak to you later.

[REDACTED]

From: [Alistair Cross](#)
To: [REDACTED]
Bcc: [Alistair Cross](#)
Subject: Re: Kawakahia Community Group
Date: Thursday, 28 July 2022 8:24:15 am

Thanks [REDACTED]

Yes, a very constructive conversation, and again very much appreciated the material you provided me and your clear explanation of the issues for the residents.

In terms of solutions - the timeframes for possible short and longer term solutions can be explored further and led out by KCDC by way of preferred approaches and methods.

I wouldn't want to put a timeline on achieving outcomes at this stage. As I said last night potential emergency works solutions will need to be developed by KCDC (if possible). Longer term 'global' consenting solutions could still take a good period of time (possibly up to months) to work through.

That said, our Councils are connected and work together in our respective roles, and with the community to progress this.

Thanks again

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

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From: [REDACTED]
Sent: Thursday, July 28, 2022 5:46:05 AM
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Kawakahia Community Group

Al, thanks very much for taking the time to talk with me yesterday evening ... and for listening ... it was much appreciated.

I'm pleased to say that I covered off most of the ground I'd hoped to during the session, and that the overall experience was both constructive and encouraging.

I look forward to the outcome of further discussions between GWRC, KCDC and ourselves ... and one of my takeaways from last night, was this can be traversed in days and weeks, rather than in months ... and that a level of middle ground can not only be sought, but achieved ... and in time to make a difference.

Speak to you later.

■

> On 27/07/2022, at 1:58 PM, Alistair Cross <Alistair.Cross@gw.govt.nz> wrote:

>

> Kia ora ■

>

> Nice to hear from you, and sorry I couldn't respond until now.

>

> I'm still waylaid by back-to-back meetings today.

>

> Can I call you sometime after 4.30 today?

>

> Ngā mihi

>

> Al

>

>

> Al Cross (he/him)

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>

>

>

>

> -----Original Message-----

> From ■

> Sent: Tuesday, 26 July 2022 11:21 am

> To: Alistair Cross <Alistair.Cross@gw.govt.nz>

> Subject: Kawakahia Community Group

> Importance: High

>

> Alistair, my name is ■, and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

>

> I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

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[REDACTED]

>

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>

>

> [REDACTED]

>

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PROACTIVE RELEASE

From: [Alistair Cross](#)
To: [Sean Mallon](#)
Subject: FW: Kawakahia Community Group
Date: Friday, 29 July 2022 11:11:46 am

Kia ora Sean

See below following a conversation I had with [REDACTED] on Wednesday evening.

Look to ensure expectations were clear.

Let me know if you want to discuss, but in case you also hear from [REDACTED] and co in the near future.

And finally, Cr Penny Gaylor is visiting the area today on invitation of [REDACTED].

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Thursday, 28 July 2022 8:24 am
To: [REDACTED]
Subject: Re: Kawakahia Community Group

Thanks [REDACTED]

Yes, a very constructive conversation, and again very much appreciated the material you provided me and your clear explanation of the issues for the residents.

In terms of solutions - the timeframes for possible short and longer term solutions can be exploded further and led out by KCDC by way of preferred approaches and methods.

I wouldn't want to put a timeline on achieving outcomes at this stage. As I said last night potential emergency works solutions will need to developed by KCDC (if possible). Longer term 'global' consenting solutions could still take a good period of time (possibly up to months) to work through.

That said, our Councils are connected and works together in our respective roles, and with the community to progress this.

Thanks again

Al

Al Cross (he/him)
Kaiwhakahaere Matua Taiao | General Manager, Environment Management
Greater Wellington Te Pane Matua Taiao
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From: [Penny Gaylor](#)
To: [Daran Ponter – Chair](#); [Graeme Campbell](#); [Alistair Cross](#)
Cc: [Nigel Corry](#); [Amanda Cox](#)
Subject: Re: Paetawa Flood
Date: Saturday, 30 July 2022 7:55:06 pm
Attachments: [image001.png](#)
[20220729_141112.jpg](#)
[20220729_150836.jpg](#)



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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]
Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov





<Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]

Mayor K

Gurunathan <k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

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their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland.

It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: [Daran Ponter – Chair](#)
To: [Penny Gaylor](#); [Graeme Campbell](#); [Alistair Cross](#)
Cc: [Nigel Corry](#); [Amanda Cox](#)
Subject: Re: Paetawa Flood
Date: Saturday, 30 July 2022 10:37:09 pm
Attachments: [image001.png](#)
[20220729_141112.jpg](#)
[20220729_150836.jpg](#)

Can we clear the work as “emergency”?

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Sent: Saturday, July 30, 2022 7:55:01 PM
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
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Subject: Fwd: Paetawa Flood

Response?

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Sent: Friday, July 29, 2022 7:06:25 PM
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Cc: [REDACTED]
Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]
[REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
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Subject: Re: Paetawa Flood
Date: Saturday, 30 July 2022 10:43:55 pm
Attachments: [image001.png](#)
[20220729_141112.jpg](#)
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Yes that's what we're working on as an immediate solution.

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Subject: Fwd: Paetawa Flood

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Cc: [REDACTED]

Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]

[REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

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PROACTIVE RELEASE

From: [Daran Ponter – Chair](#)
To: [Graeme Campbell](#); [Alistair Cross](#)
Cc: [Nigel Corry](#); [Amanda Cox](#); [Penny Gaylor](#)
Subject: Fwd: Paetawa Flood
Date: Saturday, 30 July 2022 7:45:13 pm
Attachments: [image001.png](#)

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]
Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]
[REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by Mr [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

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PROACTIVE RELEASE

From: [REDACTED]
To: [Alistair Cross](mailto:Alistair.Cross)
Subject: Re: Kawakahia Community Group
Date: Sunday, 31 July 2022 5:03:06 pm
Importance: High

When I met with Penny Gaylor on Friday afternoon, I gave her a data stick with a version of the presentation we walked through last Wednesday evening ... which should now allow you to view the two video panes on Slide 3.

I believe she was keen to touch base with you after her site visit, during which she took a few photos - included one that showed the location of the submerged FirstGas pipeline.

Also, on Friday evening, I was copied on an E-Mail from the KCDC Mayor to the GWRC Chief Executive (and your Board Chairman), expressing his view on the urgency of the Peka Peka flooding, and the impact its having on our 60+ community group members. I assume you'll be copied on this when you return to work on Monday.

I look forward to your continued interest in this matter.

Speak to you later.

[REDACTED]

On 28/07/2022, at 8:24 AM, Alistair Cross <Alistair.Cross@gw.govt.nz> wrote:

Thanks [REDACTED]

Yes, a very constructive conversation, and again very much appreciated the material you provided me and your clear explanation of the issues for the residents.

In terms of solutions - the timeframes for possible short and longer term solutions can be exploded further and led out by KCDC by way of preferred approaches and methods.

I wouldn't want to put a timeline on achieving outcomes at this stage. As I said last night potential emergency works solutions will need to developed by KCDC (if possible). Longer term 'global' consenting solutions could still take a good period of time (possibly up to months) to work through.

That said, our Councils are connected and works together in our respective roles, and with the community to progress this.

Thanks again

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: [REDACTED]

Sent: Thursday, July 28, 2022 5:46:05 AM

To: Alistair Cross <Alistair.Cross@gw.govt.nz>

Subject: Re: Kawakahia Community Group

Al, thanks very much for taking the time to talk with me yesterday evening ... and for listening ... it was much appreciated.

I'm pleased to say that I covered off most of the ground I'd hoped to during the session, and that the overall experience was both constructive and encouraging.

I look forward to the outcome of further discussions between GWRC, KCDC and ourselves ... and one of my takeaways from last night, was this can be traversed in days and weeks, rather than in months ... and that a level of middle ground can not only be sought, but achieved ... and in time to make a difference.

Speak to you later.

[REDACTED]

> On 27/07/2022, at 1:58 PM, Alistair Cross <Alistair.Cross@gw.govt.nz> wrote:

>

> Kia ora [REDACTED]

>

> Nice to hear from you, and sorry I couldn't respond until now.

>

> I'm still waylaid by back-to-back meetings today.

>

> Can I call you sometime after 4.30 today?

>

> Ngā mihi

>

> Al
>
>
> Al Cross (he/him)
> Kaiwhakahaere Matua Taiao| General Manager, Environment Management
> Greater Wellington Te Pane Matua Taiao
> DDI: 027 201 3571
> 100 Cuba Street, Te Aro, Wellington 6011
> Follow us online: Facebook | Twitter | gw.govt.nz

> -----Original Message-----

> From: [REDACTED]
> Sent: Tuesday, 26 July 2022 11:21 am
> To: Alistair Cross <Alistair.Cross@gw.govt.nz>
> Subject: Kawakahia Community Group
> Importance: High

> Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

> I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

> During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

> Can you please provide date or time we can have that call, or contact me directly on [REDACTED] ?

> Speak to you later.

> [REDACTED]
> ATTENTION: This correspondence is confidential and intended for the named recipient(s) only. If you are not the named recipient and receive this correspondence in error, you must not copy, distribute or take any action in reliance on it and you should delete it from your system and notify the sender immediately. Unless otherwise stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

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[REDACTED]

From: Nigel Corry
Sent: Sunday, 31 July 2022 12:17 pm
To: Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Alistair Cross; Amanda Cox
Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday, 30 July 2022 10:44 pm
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 10:37:01 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, July 30, 2022 7:55:01 PM

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

PROACTIVE RELEASE





Al, Graeme, and I are dealing with this.
We all know the situation.
I was there with e residents on Friday getting a tour.
I'd love a chance for an update on my intel.
Code Name - the Kapiti Lakes district.
A staggering amount of water sitting on farmland.
As licals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.
Kcdc wirking the cobsent application.
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Gwrc need to approve asap so work can be done before spawning season in Sept.

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Driveways and lawbs at Peka peka permanently under water. Shocking.

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

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From: Alistair Cross
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles
Subject: RE: Paetawa Flood
Attachments: FW: Kawakahia Community Group

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team, I firmly believe there's a way through it.
- **KCDC approach:** KCDC is planning for both emergency works, and possible longer term regular maintenance works.
- **Emergency works:** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take, but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term, but unlikely to cover the full KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible, and if this does come to pass my team would work positively and constructively with KCDC to work this through.
- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests:** Flood Protection interests downstream on the Waimeha Stream – **Graeme**, please fill in the gaps here.

- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Nigel Corry <Nigel.Corry@gw.govt.nz>

Sent: Sunday, 31 July 2022 12:17 pm

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: RE: Paetawa Flood

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Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

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Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the government's Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dovetailing into this immediate and justified concerns of the Paetawa Rd residents.

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Regards,

Mayor Guru

K Gurunathan JP MA

Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: Alistair Cross
Sent: Monday, 1 August 2022 8:45 am
To: Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles; Alistair Cross
Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

- **Context:** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team, I firmly believe there's a way through it.
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- **Emergency works:** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take, but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term, but unlikely to cover the full KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible, and if this does come to pass my team would work positively and constructively with KCDC to work this through.
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Happy to support action to respond to the Mayor.

AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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From: Nigel Corry <Nigel.Corry@gw.govt.nz>

Sent: Sunday, 31 July 2022 12:17 pm

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: RE: Paetawa Flood

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And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Sent: Saturday, July 30, 2022 10:37:01 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, July 30, 2022 7:55:01 PM

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

.
.
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We all know the situation.

I was there with e residents on Friday getting a tour.
I'd love a chance for an update on my intel.
Code Name - the Kapiti Lakes district.
A staggering amount of water sitting on farmland.
As licals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.
Kcdc wirking the cobsent application.
Lodging soon.
Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.
Driveways and lawbs at Peka peka permanently under water. Shocking.

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Sent: Saturday, July 30, 2022 7:45:11 PM
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

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Mayor Guru

K Gurunathan JP MA

Mayor

Koromatua

Kāpiti Coast District

Tel 04 2964 757

www.kapiticoast.govt.nz



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From: Penny Gaylor
Sent: Monday, 1 August 2022 9:22 am
To: Alistair Cross; Nigel Corry; Daran Ponter – Chair; Graeme Campbell; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles; Alistair Cross
Subject: Re: Paetawa Flood

Morena

Al - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people. As per the pic I sent through.

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, August 1, 2022 8:44:56 AM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

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AI



Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Sent: Sunday, 31 July 2022 12:17 pm

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To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

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Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

Sent: Friday, July 29, 2022 7:06:25 PM

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Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED] Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

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PROACTIVE RELEASE

From: Graeme Campbell
Sent: Monday, 1 August 2022 9:59 am
To: Alistair Cross; Nigel Corry; Penny Gaylor; Daran Ponter – Chair; Amanda Cox
Cc: Jude Chittock; Shaun Andrewartha; Joshua Knowles
Subject: RE: Paetawa Flood
Attachments: Waimeha Ngarara Stream maintenance.png

Notes added below. I have also added the plans from the watercourses agreement with GW in blue and KCDC in yellow

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>

Sent: Monday, 1 August 2022 8:45 am

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>

Sent: Monday, 1 August 2022 8:40 am

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>

Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary:

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- **Next regulatory steps:** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran, one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware, [REDACTED], the barrister who Guru has engaged pro bono, is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday, 30 July 2022 10:44 pm

To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Sent: Saturday, July 30, 2022 10:37:01 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Subject: Re: Paetawa Flood

Al, Graeme, and I are dealing with this.

We all know the situation.

I was there with e residents on Friday getting a tour.

I'd love a chance for an update on my intel.

Code Name - the Kapiti Lakes district.

A staggering amount of water sitting on farmland.

As licals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.

Kcdc wirking the cobsent application.

Lodging soon.

Gwrc need to approve asap so work can be done before spawning season in Sept.





Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.
Driveways and lawbs at Peka peka permanently under water. Shocking.

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Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED] Mayor K Gurnathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

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On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

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Regards,

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K Gurunathan JP MA

Mayor
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PROACTIVE RELEASE

From: Nigel Corry
Sent: Monday, 1 August 2022 11:47 am
To: Alistair Cross; Graeme Campbell; Amanda Cox; Shaun Andrewartha
Subject: RE: Paetawa Flood

Importance: High

Thanks everyone for this; so, what's the next steps that can reasonably inform an email back to Guru do you think? Just a basic thanks for the email, we are very much aware of the complex issues, and that were working hard with the KCDC team and a fuller response/meeting will come ASAP??

Nige

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022 9:40 am
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: RE: Paetawa Flood

Agree Penny

Sean Mallon also on to this.

Al

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Monday, 1 August 2022 9:22 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Paetawa Flood

Morena

AI - I also think the new revelation that the north island gas line is now submerged in water is a factor, and is on the radar now of the gas people. As per the pic I sent through.

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>

Sent: Monday, August 1, 2022 8:44:56 AM

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>

Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>

Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

AI

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Sent: Monday, 1 August 2022 8:40 am

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Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

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Happy to support action to respond to the Mayor.

AI



AI Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

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Subject: RE: Paetawa Flood

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Subject: Re: Paetawa Flood

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Response?

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Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED] Mayor

K Gurunathan <k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

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Regards,

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: [Nigel Corry](#)
To: [Mayor K Gurunathan](#); [Daran Ponter – Chair](#); [Penny Gaylor](#); [Alistair Cross](#); [Amanda Cox](#)
Cc: [REDACTED] [Councillor Jocelyn Pryanov](#); [REDACTED]
Subject: RE: Paetawa Flood
Date: Tuesday, 2 August 2022 9:53:11 am
Attachments: [image002.png](#)
[image003.png](#)

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing to our attention an issue that's both urgent and complex. I am replying on behalf of Daran, as this primarily sits with GW officers to respond to at this point, working with the KCDC team. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

Firstly let me note my understanding is that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected with [REDACTED], the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.

In summary there are several key points at the top of our minds:

- **Context:** This is a highly complex situation. The Ngarara Stream is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation (EReg) team, we firmly believe there's a way through it despite the high level of regulatory protection.
- **KCDC approach:** We understand that KCDC is planning for both emergency works, and possible longer term regular maintenance works.
- **North Island gas main:** Part of the main gas line is now submerged in water, and this has now come to the attention of both the KCDC team and First Gas, the pipeline operator.
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Retrospective consenting (following actual emergency works) is also quite possible, and if this does come to pass GW's EReg team would work positively and constructively with KCDC through the necessary process.

- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
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GW Flood Protection has experience in applying for consents to work in highly modified watercourses and we are happy to share lessons learned if that might be useful to KCDC in applying for global consents.

Noting all these points above, we also recognise the wider issues and longer term challenges to be addressed, through working together and with the community in a highly collaborative manner. We may have the opportunity to do so through the Kāpiti Whaitua Committee's development of their Whaitua Implementation Programme.

However, as you noted this situation is one example of a broader challenge for all of us responding to the emerging climate change situation, and it will remain a strategic priority for us over a good number of years to come. GW looks forward to working with KCDC and our partners on finding ways forward to resolution.

Ngā mihi

Nigel



Nigel Corry (he/him)

Tumu Whakarae | Chief Executive

Greater Wellington Te Pane Matua Taiao

027 461 7142

100 Cuba St, Te Aro, Wellington 6011

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Nigel

From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> **On Behalf Of** Mayor K Gurunathan

Sent: Friday, 29 July 2022 7:06 pm

To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>

Cc: [REDACTED] Penny Gaylor

<Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov

<Jocelyn.Prvanov@kapiticoast.govt.nz>; [REDACTED]

[REDACTED] Mayor K Gurunathan

<k.gurunathan@kapiticoast.govt.nz>

Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline, owned by FirstGas, that's routed through this area has some 1 kilometre of its pipe submerged and therefore, I assume, there is a potential danger to this infrastructure. I understand that following appeals from residents my council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QE II National Trust Covenant.

I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by Mr [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and

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From: [Amanda Cox](#)
To: [Nigel Corry](#); [Alistair Cross](#); [Graeme Campbell](#); [Shaun Andrewartha](#)
Subject: Draft reply to Guru re Paetawa Flood
Date: Monday, 1 August 2022 4:31:57 pm
Attachments: [image001.png](#)

Kia ora tatou

Here's a first draft for Nige to send to Guru. Al & Graeme thanks so much for the bullet points you sent through.

The last para is my first crack at agreeing this is a major challenge, and I'm sure it could be improved! Any suggestions much appreciated.

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing an issue that's both urgent and complex to our attention. I am replying on behalf of Daran, as this primarily sits with GW officers to resolve at this point. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

Firstly let me note that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.

In summary there are several key points at the top of our minds

- **Context:** *This is a highly complex situation. The stream is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation team, we firmly believe there's a way through it.*
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Ngā mihi

Amanda

makaurangi



Amanda Cox (she/her)

Kaitohutohu Matua ki te Heamana | Principal Advisor to the Chair
Greater Wellington Te Pane Matua Taiao
DDI 04 830 4126 : M 027 289 7261
100 Cuba St, Te Aro, Wellington 6011

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From: [Amanda Cox](#)
To: [Alistair Cross](#); [Nigel Corry](#); [Shaun Andrewartha](#); [Graeme Campbell](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 8:59:49 am
Attachments: [image001.png](#)

These are great, thanks Al.

I'll finalise and forward to Nige in the next half hour, let me know if you need more time Graeme and Shaun.

Ngā mihi

Amanda
027 289 7261

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, 2 August 2022 8:08 am
To: Amanda Cox <Amanda.Cox@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: RE: Draft reply to Guru re Paetawa Flood

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Some suggested changes to polish it, **highlighted**, below.

Shaun, Graeme – and **suggestions this morning if you can**, otherwise if Nige is happy then crack on Amanda.

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From: Amanda Cox <Amanda.Cox@gw.govt.nz>
Sent: Monday, 1 August 2022 4:32 pm
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
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Greater Wellington Te Pane Matua Taiao

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PROACTIVE RELEASE

From: [Graeme Campbell](#)
To: [Amanda Cox](#); [Alistair Cross](#); [Nigel Corry](#); [Shaun Andrewartha](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:07:07 am
Attachments: [image002.png](#)
[image003.png](#)

I have put a bit more in my area if you think it is helpful or adjust as necessary

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Amanda Cox <Amanda.Cox@gw.govt.nz>
Sent: Tuesday, 2 August 2022 9:00 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
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makaurangi



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From: [Shaun Andrewartha](#)
To: [Graeme Campbell](#); [Amanda Cox](#); [Alistair Cross](#); [Nigel Corry](#)
Subject: RE: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:20:43 am
Attachments: [image001.png](#)
[image002.png](#)

Looks good – just a minor typo/deletion added to the highlights below, otherwise nothing further from me

Thanks for pulling it all together Amanda – great work!

Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Tuesday, 2 August 2022 9:07 am
To: Amanda Cox <Amanda.Cox@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
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Cheers



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The last para is my first crack at agreeing this is a major challenge, and I'm sure it could be improved! Any suggestions much appreciated.

Tēna koe Mayor Guru

*Many thanks for your email of 29 July, and for drawing **to our attention** an issue that's both urgent and complex. I am replying on behalf of Daran, as this primarily sits with GW officers to **respond to** resolve at this point **working with the KCDC team**. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.*

*Firstly let me note that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected **with** [REDACTED], the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.*

In summary there are several key points at the top of our minds

- **Context:** This is a highly complex situation. The **Ngarara Stream** is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation (**EReg**) team, we firmly believe there's a way through it **despite the high level of regulatory protection**.
- **KCDC approach:** We understand that KCDC is planning for both emergency works, and possible longer term regular maintenance works.
- **North Island gas main:** Part of the main gas line is now submerged in water, and this has now come to the attention of **both the KCDC team and** First Gas, the pipeline operator.
- **Emergency works:** As **Al has** discussed with Sean Mallon, KCDC can undertake emergency works as a network utility provider. This is **KCDC's** decision to take, noting that **Al has** advised Sean to seek advice to make sure your approach is safe and sound legally. Limited works therefore could probably be **undertaken in the short term**, but they are unlikely to cover the full KCDC/residents gamut of interest / opportunity.

Retrospective consenting (following actual emergency works) is also quite possible, and if this does come to pass GW's EReg team would work positively and constructively with KCDC through the necessary process.

- **Consenting time-frames:** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GW operational interests:** GW Flood Protection primarily undertakes the maintenance work on the Waimeha Stream at the mouth (coastal section) and then the Waimeha stream above the confluence with the Ngarara Stream. The areas of concern at this stage are those bits on the **Ngarara Stream** above the confluence with the Waimeha. **GW Flood Protection have applied for consents to work in highly modified watercourses and we are happy to share any of that work if it is useful for the situation KCDC are in regards applying for global consents.**
- **Next regulatory steps:** Alongside emergency works considerations. Sean Mallon and his team need to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Noting all these points above, we also recognise the wider issues and longer term challenges to be addressed, through working together and with the community in a highly collaborative manner. We **may** have the opportunity to do so through **development of** the Kāpiti Whaitua Committee's development of their **Whaitua** Implementation Programme. However, **as you noted** this situation is one example of a broader challenge for all of us **responding to the emerging climate change situation**, and it will remain a strategic priority for us over **a good** number of years **to come**. GW looks forward to working with KCDC and our partners on finding ways forward to resolution.

Ngā mihi

Amanda

makaurangi



Amanda Cox (she/her)

Kaitohutohu Matua ki te Heamana I Principal Advisor to the Chair

Greater Wellington Te Pane Matua Taiao

DDI 04 830 4126 : M 027 289 7261

100 Cuba St, Te Aro, Wellington 6011

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PROACTIVE RELEASE

From: [Amanda Cox](#)
To: [Nigel Corry](#)
Cc: [Alistair Cross](#); [Graeme Campbell](#); [Shaun Andrewartha](#)
Subject: FW: Draft reply to Guru re Paetawa Flood
Date: Tuesday, 2 August 2022 9:28:59 am
Attachments: [image002.png](#)
[image003.png](#)

Hi Nige

Final version for you ready to cut & paste to send to Guru (cc Daran)

Tēna koe Mayor Guru

Many thanks for your email of 29 July, and for drawing to our attention an issue that's both urgent and complex. I am replying on behalf of Daran, as this primarily sits with GW officers to respond to at this point, working with the KCDC team. Longer term as you say, GW and KCDC, together with our mana whenua partners and other stakeholders, will need to work together to meet this challenge.

Firstly let me note that Cr Gaylor and Al Cross our General Manager of the GW Environment Management Group connected with [REDACTED], the chair of the residents group last week. Al has also connected with Sean Mallon at KCDC to work towards a resolution of the urgent flooding issue. Our respective GW and KCDC teams have begun to work this through.

In summary there are several key points at the top of our minds

- **Context:** *This is a highly complex situation. The Ngarara Stream is clogged with vegetation and running through wetlands, which are in turn scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regulations. Navigating this is fairly tricky but still possible. On the advice of GW's Environmental Regulation (EReg) team, we firmly believe there's a way through it despite the high level of regulatory protection.*
- **KCDC approach:** *We understand that KCDC is planning for both emergency works, and possible longer term regular maintenance works.*
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GW Flood Protection has experience in applying for consents to work in highly modified watercourses and we are happy to share lessons learned if that might be useful to KCDC in applying for global consents.

Noting all these points above, we also recognise the wider issues and longer term challenges to be addressed, through working together and with the community in a highly collaborative manner. We may have the opportunity to do so through the Kāpiti Whaitua Committee's development of their Whaitua Implementation Programme.

However, as you noted this situation is one example of a broader challenge for all of us responding to the emerging climate change situation, and it will remain a strategic priority for us over a good number of years to come. GW looks forward to working with KCDC and our partners on finding ways forward to resolution.

Ngā mihi etc

Nigel

Ngā mihi

Amanda
027 289 7261

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Tuesday, 2 August 2022 9:07 am

To: Amanda Cox <Amanda.Cox@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>

Subject: RE: Draft reply to Guru re Paetawa Flood

I have put a bit more in my area if you think it is helpful or adjust as necessary

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

From: Amanda Cox <Amanda.Cox@gw.govt.nz>
Sent: Tuesday, 2 August 2022 9:00 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: RE: Draft reply to Guru re Paetawa Flood

These are great, thanks Al.

I'll finalise and forward to Nige in the next half hour, let me know if you need more time Graeme and Shaun.

Ngā mihi

Amanda
027 289 7261

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, 2 August 2022 8:08 am
To: Amanda Cox <Amanda.Cox@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: RE: Draft reply to Guru re Paetawa Flood

Great quick effort here Amanda!

Some suggested changes to polish it, **highlighted**, below.

Shaun, Graeme – and **suggestions this morning if you can**, otherwise if Nige is happy then crack on Amanda.

Al

From: Amanda Cox <Amanda.Cox@gw.govt.nz>
Sent: Monday, 1 August 2022 4:32 pm
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Subject: Draft reply to Guru re Paetawa Flood

Kia ora tatou

Here's a first draft for Nige to send to Guru. Al & Graeme thanks so much for the bullet points

you sent through.

The last para is my first crack at agreeing this is a major challenge, and I'm sure it could be improved! Any suggestions much appreciated.

makaurangi



Amanda Cox (she/her)

Kaitohutohu Matua ki te Heamana I Principal Advisor to the Chair
Greater Wellington Te Pane Matua Taiao
DDI 04 830 4126 : M 027 289 7261
100 Cuba St, Te Aro, Wellington 6011

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PROACTIVE RELEASE

From: [REDACTED]
To: [Sean Mallon](#)
Cc: [Alistair Cross](#)
Subject: Emergency Ngarara Stream Clearance Plan
Date: Wednesday, 3 August 2022 8:02:42 am

Sean, at your suggestion, I touched base with Al Cross at GWRC, and last Wednesday evening we had a very constructive conversation about the Ngarara Stream situation, and it's impact on the serious Peka Peka flooding.

Whilst recognising the complex nature of activity consenting in that area, Al pointed out that there was some room for manoeuvre in an emergency situation, such that a suitably scaled action plan would receive serious consideration.

On Friday of last week, Mayor Guru sent an E-Mail to the GWRC Executive, stressing the urgency of the flooding which impacts 60+ households in the Peka Peka area - and where he used the "emergency" word in respect of that ...

... and on Tuesday, the GW Chief Executive responded to the Mayor, confirming that KCDC had the right to complete emergency clearance work, as long as future and longer-term activities in respect of the drain was folded into the agreed consent process.

From the Kawakahia group's point of view, the stream needs to be cleared from where the Black Drain's drainage channel joins it, then southwards to the Golf Course. As the stream is blocked extensively throughout that length, any clearance less than that would severely impact any chance of reducing the flooding north of the Pharazyn Ponds.

Also, I think the plan needs to reconfirm that the clearance method to be used is a digger with movable pontoons, addressing only the clogging vegetation, so that the stream structure is minimally impacted.

Sean, from my understanding about what was said late last week, an action plan along these lines has already been developed.

Can you please confirm that the urgency advised by the Mayor and accepted by the GW Executive, has already resulted in that plan being submitted to Al's team ?

Speak to you later.

[REDACTED]

From: [REDACTED]
To: [Paul Busing](#)
Cc: [Sean Mallon](#); [Alistair Cross](#)
Subject: Ngarara Stream Clearance Planning Activities
Date: Friday, 5 August 2022 12:04:56 pm
Importance: High

Paul, I thought I'd come back to you quickly, following our discussion this morning, and the subsequent call I placed with Al Cross ... as a couple of useful clarification points have emerged.

Firstly, the immediate plan you are working on to clear the remainder of vegetative blocking in the Ngarara Stream, does not need to be shared with GWRC. Al is firmly of the opinion that this falls within the emergency powers provision, and is entirely for KCDC to develop and apply, in completing the urgent tasks at hand.

Secondly, an action plan covering a longer term view of remedial and/or maintenance activities in and around the Ngarara Stream, does need to be shared with GWRC. At this stage it's more important that the substantive components are presented, so that consenting-related discussions can get underway - but preparation of that should not get in the way of the immediate actions required for stream clearance.

Thirdly, and just to reiterate this, KCDC's ability to institute and complete the envisaged urgent clearance of this modified waterway, can be fully completed under the emergency powers provisions ... which Al is sure allows KCDC to circumvent the normal consenting process (for that scope of work only), to complete the clearance activities in the shortest time possible.

Hope this helps in moving things forward Paul.

Speak to you later.

[REDACTED]

From: [Jehan Hendry](#)
To: [REDACTED]
Subject: RE: 72 [REDACTED]
Date: Monday, 20 September 2021 12:59:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[REDACTED].pdf

Kia ora [REDACTED]

I am pleased to respond to your email regarding the flood hazard at [REDACTED] [REDACTED]

I have attached a plan of the property showing the flood hazard areas. There is a large flood storage area (green) on the property.

We recommend that you avoid building or earthworks within the storage area as this can displace flood waters into other areas. If you do propose to build within the storage area you will need to show that this would not increase flood hazard on the property or on other properties.

The 1% AEP (Annual Exceedance Probability) flood level for this part of the property is 4.1 m, given in terms metres above Mean Sea Level Wellington 1953 Datum. We recommend that any development is built above that level.

We recommend that you contact Kāpiti Coast District Council (KCDC) about any building controls or rules under their District Plan which apply to these hazards.

Where land on which building work is to be carried out is subject to, or likely to be subject to, flood hazard if KCDC grants a building consent under Section 72 of the Building Act 2004 they shall include a notation on the Certificate of Title. It is KCDC's responsibility to notify the owner if there will be a registration. We suggest that you discuss this with them directly.

In summary, GWRC Flood Protection recommends:

- That as a minimum you build to above the 1% AEP flood level of 4.1 m
- That you avoid development within the storage area
- That you contact KCDC about any building controls or rules under their District Plan which apply to these hazards
- That the property owner notify their insurer of this flood risk

Note that for construction to a given flood level, the level is to the underside of the floor joists or to the base of the concrete floor slab.

Let me know if you have any questions

Kind regards



Jehan Hendry (he/him)

Kaipūkaha | Graduate Engineer, Advisory & Investigations | Flood Protection

Greater Wellington Te Pane Matua Taiao

021 586 844

100 Cuba St, Te Aro, Wellington 6011

From: [REDACTED] >
Sent: Wednesday, 15 September 2021 12:51 PM
To: James Flanagan <James.Flanagan@gw.govt.nz>
Subject: [REDACTED]

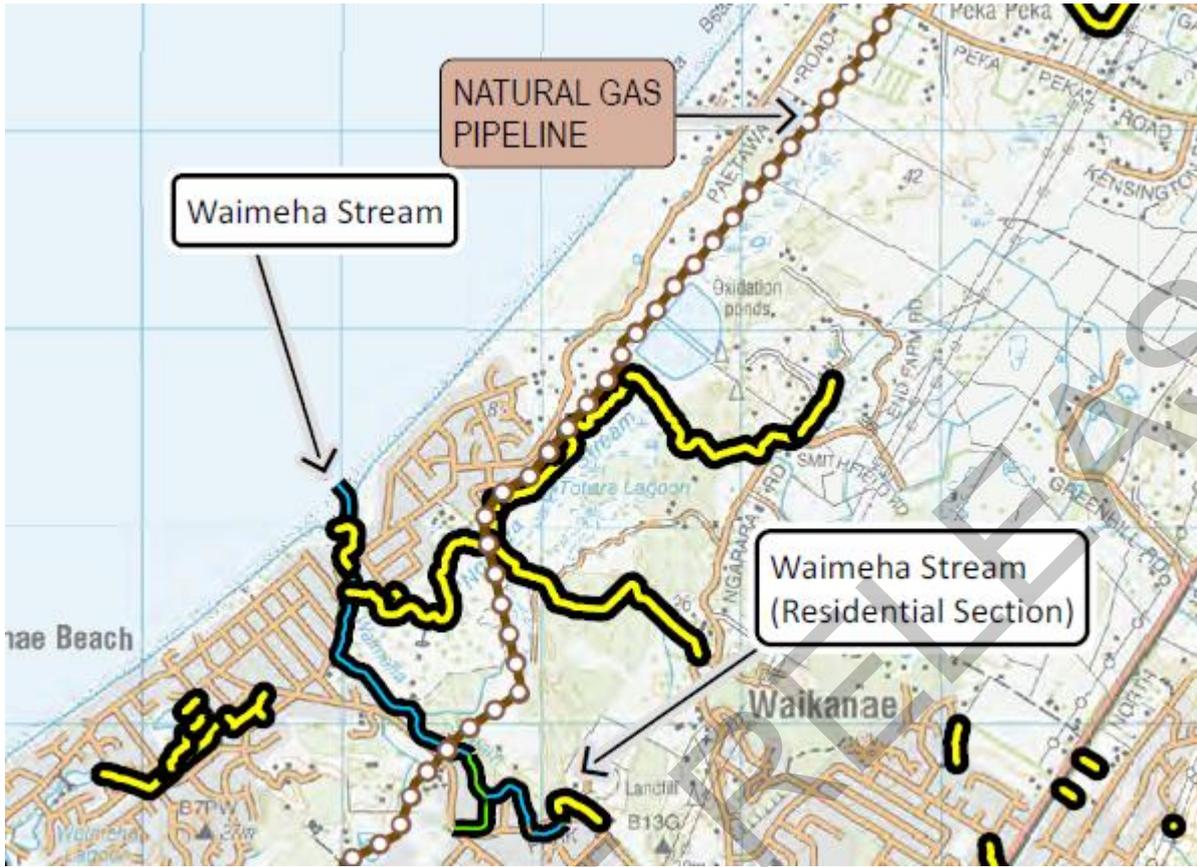
Good afternoon

We have asked to look into building of a garage carport on the above property. Can I please get levels for this property please

Regards,
[REDACTED]



PROACTIVE RELEASE



PROACTIVE

From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>
Sent: Tuesday, 5 July 2022 5:01 pm
To: Joshua Knowles
Subject: Te Harakeke Wetland

Hello Josh,

As noted on the phone today, KCDC have had a group of residents engage with Council regarding the build-up of water occurring in the vicinity, and upstream of the Te Harakeke Wetland. Below is a series of stills taken from some drone footage provided to us from 21 June 2022.

Obviously we have had a bit of rain at times since December 2021 and it is noted that groundwater levels are elevated still in adjoining catchments. The images shows a fair amount of water in the area, but it should be noted from our long term aerial photography [below] that it has been building up in this area for quite a few years.

We are keen to hear the views of GWRC in regards to doing some vegetation clearance in the channel either adjacent to in the Te Harakeke Wetland which has not been maintained for about 15 years as a result of restricted access. I have highlighted the areas of interest on the final image below.

We appreciate the issues with the site being subject to a range of rules under the NRP and hence the need for a conversation before we get too advanced with our conversations with the residents.





PROACTIVE



1:17

PROF



PROPOSED



PROPOSED



Aerial 1940's

PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE



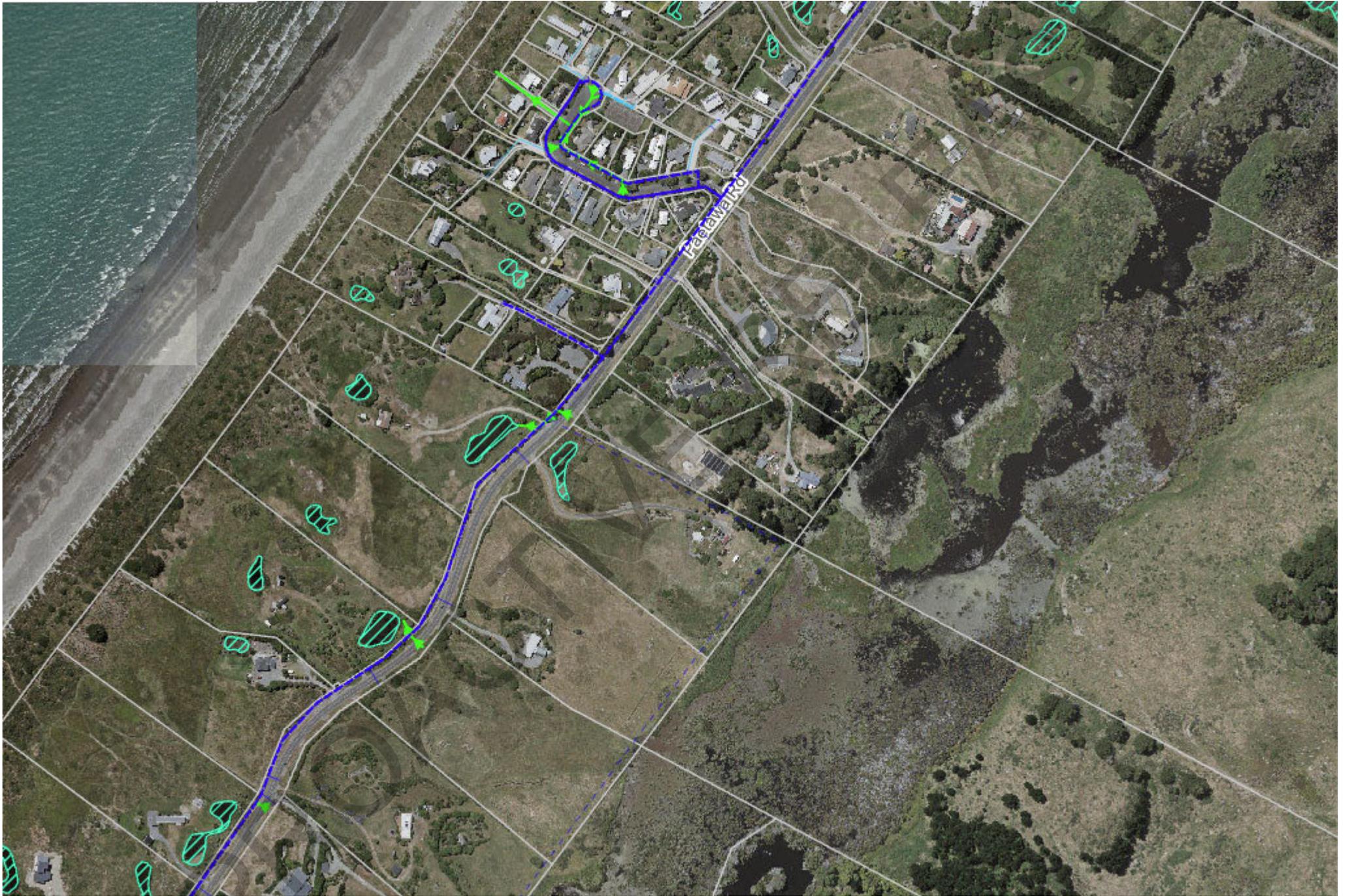
PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Tel 04 296 4745
Mobile 027 5552 745



Mānawatia
a Matariki



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From: [Paul Busing](#)
To: [Joshua Knowles](#)
Subject: Attachment Removed - RE: Te Harakeke Wetland
Date: Wednesday, 6 July 2022 3:35:22 pm

Your attachment has been stripped from the email because it exceeded out 25mb but the body has gone through. Please contact the recipient and request an up load link.

PROACTIVE RELEASE

From: Joshua Knowles
Sent: Wednesday, 6 July 2022 3:34 pm
To: 'Paul Busing'
Subject: RE: Te Harakeke Wetland

Thanks very much for sending this across Paul,

In the first place you are correct that the Harakeke Wetland is recognised as a significant natural wetland in the PNRP. The area of 'channel' that you marked on that last map looks like it would be within the 'significant natural wetland' mapped by GW. This means that any works within the wetland will need to be considered against rules R109 or R110 of the PNRP. Also of importance to consider is section 54 of the NES Freshwater see here <https://www.legislation.govt.nz/regulation/public/2020/0174/latest/LMS364282.html>.

These are some pretty serious considerations for whether works in this space will be able to be carried out. If you have any more specific details of what is proposed or photos of the area where you think vegetation could occur please send this across.

Thanks,



Josh Knowles (he/ him)
Kaitohutohu / Resource Advisor
Greater Wellington Te Pane Matua Taiao
Mobile: 021 346778
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>
Sent: Tuesday, 5 July 2022 5:01 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: Te Harakeke Wetland

Hello Josh,

As noted on the phone today, KCDC have had a group of residents engage with Council regarding the build-up of water occurring in the vicinity, and upstream of the Te Harakeke Wetland. Below is a series of stills taken from some drone footage provided to us from 21 June 2022.

Obviously we have had a bit of rain at times since December 2021 and it is noted that groundwater levels are elevated still in adjoining catchments. The images shows a fair amount of water in the area, but it should be noted from our long term aerial photography [below] that it has been building up in this area for quite a few years.

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We appreciate the issues with the site being subject to a range of rules under the NRP and hence the need for a conversation before we get too advanced with our conversations with the residents.









PROPOSED





Aerial 1940's

PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE



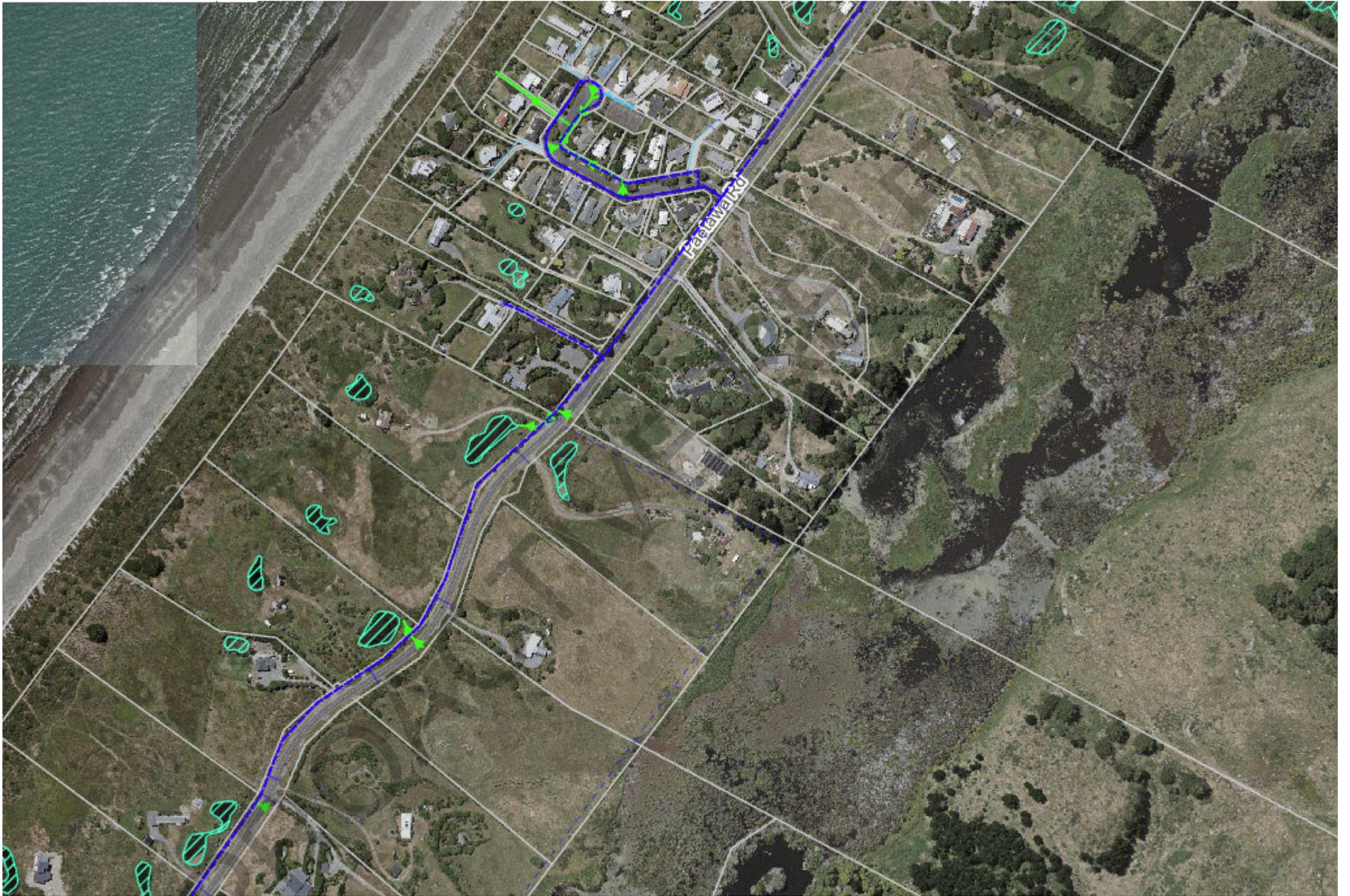
PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE



PROACTIVE RELEASE

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Tel 04 296 4745
Mobile 027 5552 745



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a Matariki



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From: [Paul Busing](#)
To: [Joshua Knowles](#)
Cc: [Jude Chittock](#)
Subject: FW: A Reversal ... and a Disaster in the Making
Date: Monday, 11 July 2022 11:17:28 am

Hello Joshua,

Further to our conversation and email about the Te Harakeke Wetland please see the email below which was sent to staff and our mayor following a meeting with representatives of the residents on Friday afternoon.

They have requested that we organise an urgent meeting with them and GWRC on site this week.

Are you able to attend, or have someone from GWRC attend a meeting?

If so, when would suit?

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Kāpiti Coast District Council
Tel 04 296 4745
Mobile 027 5552 745

www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Saturday, July 9, 2022 7:50 AM
To: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>
Cc: Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED] Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]
Subject: A Reversal ... and a Disaster in the Making

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding,

yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.



(On behalf of the Kawakahia Community Group)

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PROACTIVE RELEASE

From: [Paul Busing](#)
To: [Tamara Silk](#)
Cc: [REDACTED] [Joshua Knowles](#); [Jude Chittock](#); [Sean Mallon](#)
Subject: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance
Date: Thursday, 14 July 2022 2:52:08 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hello Tamara,

In speaking with Sean, can you please seek to organise a meeting between GWRC, First Gas and KCDC regarding the clearing of the Ngarara Stream for next week.

I am on leave next week and both Joshua and Jude from GWRC are on leave this week and the acting team leaders has indicated that they would like to leave it until they get back hence why I am asking you to help.

I have copied everyone into the email for the invite, [REDACTED] would like to bring someone from the technical side from First Gas as well, but I am sure she can pass on any invite.

Please note that the residents are also wishing to have a meeting on site with GWRC and KCDC, however we are **not to include** the residents in this meeting.

The agenda for the meeting is around how GWRC feel around the exercise of S330 powers under the RMA.

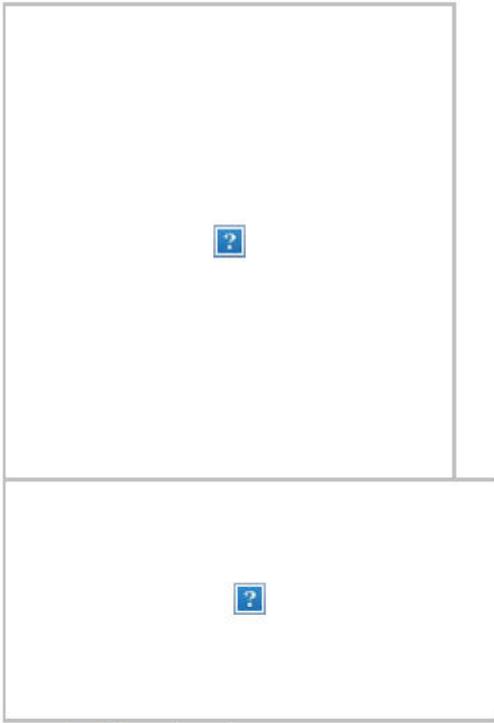
Specific issues that need discussion

1. Both KCDC [sewer] and First Gas [natural gas] are network utility operators and have concerns around their infrastructure..
2. Likelihood of flooding affecting, or likely to affect the sewer/gasline resulting in an adverse environmental effect or sudden event causing or likely to cause loss of life, or serious damage to property that requires immediate action.
3. If an emergency clearance of the ngarara stream through the wetland results in an adverse effect that continues, and therefore requires retrospective consent.
4. If a retrospective consent is deemed to be required, it will be extremely difficult to put a complete application together within 20 working days following the clearance. Therefore what would GWRC's expectation be in this area.
5. If GWRC have concerns around the use of S330 RMA do they have any suggestions as a way forward.

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Tel 04 296 4745
Mobile 027 5552 745



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PROACTIVE RELEASE

From: [Joshua Knowles](#)
To: [Paul Busing](#); [Tamara Silk](#)
Cc: [REDACTED]; [Jude Chittock](#); [Sean Mallon](#); [Claire McKeivitt](#)
Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance
Date: Monday, 18 July 2022 2:17:00 pm
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Paul,

Thanks for your email.

The decision to undertake works under section 330 of the RMA is the responsibility of the person, authority or operator and we do not “grant permission” for emergency works. You may be able to undertake the works under s330 of the Act however there is a very high threshold for this. In order to meet this threshold you must be able to conclusively answer yes (with explanation) to all four questions below;

- Is there an adverse effect on the environment?
- Is the adverse effect affecting, or likely to affect a public work, natural/physical resource/area or network/lifeline utility operation?
- Does the adverse effect require immediate preventive or remedial measures?
- Is the work to be undertaken by a TA, GWRC, or a network/lifeline utility operator (or on their behalf under their expressed instruction)

Please see the full provisions of s330 here

<https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM239003.html> .Please note that [section 330](#) is reserved for **immediate solutions/remediation** to an emergency, not necessarily a long term solution to an existing environmental hazard.

If you do choose to proceed with carrying out emergency works then you need to do the minimum amount of works needed to prevent ‘the emergency’, and should not go above or beyond this scope. If there are any alternative measures that are reasonably available and which do not amount to a breach of the RMA, or which would involve less environmental impact, they should be taken. These judgements must be made objectively and reasonably, if you decide to take action under s330 you will need to notify GWRC within 7 days and I suggest that you should document the rationale and decision making process for any actions taken.

I recognise the tricky situation you are in with the flooding. I think it is in KCDC’s best interests to get a legal opinion on if the proposed works would comply with s330 of the RMA. Please note that if works are carried out without resource consent (that are not a permitted activity) that GWRC do not consider to meet the legal tests of s330 of the RMA, we may investigate these as a breach of the RMA. If you have additional details of what the proposed works include that would be helpful to know.

I suggest that you write up a scope for the works proposed and provide an assessment under the

PNRP and NES Freshwater, based on the initial advice provided in my previous email. I will have a chat internally with our Flood Protection Department about this site and see what advice or extra considerations they have.

Please let me know if you have any further questions.

Thanks,



Josh Knowles (he/ him)
Kaitohutohu / Resource Advisor
Greater Wellington Te Pane Matua Taiao
Mobile: 021 346778
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>
Sent: Thursday, 14 July 2022 2:52 pm
To: Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>
Cc: [REDACTED] Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>
Subject: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Hello Tamara,

In speaking with Sean, can you please seek to organise a meeting between GWRC, First Gas and KCDC regarding the clearing of the Ngarara Stream for next week.

I am on leave next week and both Joshua and Jude from GWRC are on leave this week and the acting team leaders has indicated that they would like to leave it until they get back hence why I am asking you to help.

I have copied everyone into the email for the invite, [REDACTED] would like to bring someone from the technical side from First Gas as well, but I am sure she can pass on any invite.

Please note that the residents are also wishing to have a meeting on site with GWRC and KCDC, however we are **not to include** the residents in this meeting.

The agenda for the meeting is around how GWRC feel around the exercise of S330 powers under the RMA.

Specific issues that need discussion

1. Both KCDC [sewer] and First Gas [natural gas] are network utility operators and have concerns around their infrastructure..
2. Likelihood of flooding affecting, or likely to affect the sewer/gasline resulting in an adverse

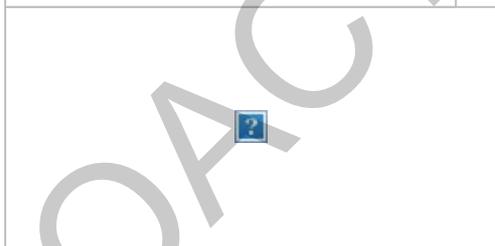
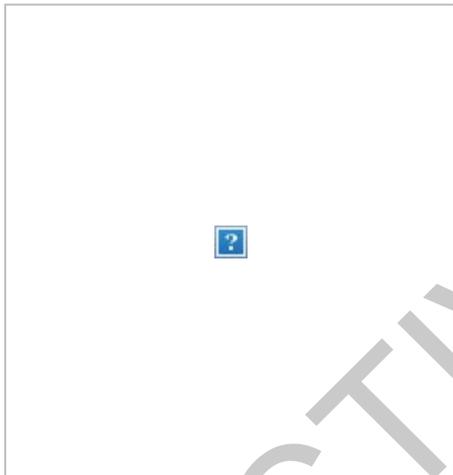
environmental effect or sudden event causing or likely to cause loss of life, or serious damage to property that requires immediate action.

3. If an emergency clearance of the ngarara stream through the wetland results in an adverse effect that continues, and therefore requires retrospective consent.
4. If a retrospective consent is deemed to be required, it will be extremely difficult to put a complete application together within 20 working days following the clearance. Therefore what would GWRC's expectation be in this area.
5. If GWRC have concerns around the use of S330 RMA do they have any suggestions as a way forward.

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Tel 04 296 4745
Mobile 027 5552 745



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From: [Paul Busing](#)
To: [Joshua Knowles](#)
Subject: Automatic reply: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance
Date: Monday, 18 July 2022 2:18:14 pm

Thank you for your email, I am currently away until the 25 July 2022.

If your issue is urgent please contact our customer service staff to put you through to a member of the Stormwater and Coastal team.

Regards
Paul Busing

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PROACTIVE RELEASE

From: Joshua Knowles
Sent: Wednesday, 20 July 2022 4:39 pm
To: Alistair Cross
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Al,

Just following on from our earlier discussion. Please also see this email chain which relates to the same wetland project that Sean Mallon raised with you.

Thanks,



Josh Knowles (he/ him)

Kaitohutohu / Resource Advisor

Greater Wellington Te Pane Matua Taiao

Mobile: 021 346778

100 Cuba Street, Te Aro, Wellington 6011

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From: Nick Pearson <Nick.Pearson@gw.govt.nz>

Sent: Wednesday, 20 July 2022 3:01 pm

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Cc: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: RE: Ngarara stream, as per our conversation on Thursday

Hi Graeme,

My advice in which Jocelyn has commented on below was based on Paul Busing's indicative proposal (see the white area below). It seems the scope of what Paul proposed is more than what is actually required (for reference that white highlighted area is 1.2kms of vegetation clearance within a Schedule A wetland).



Are you able to give me an understanding of what exactly KCDC want to do, and then I can confirm if it is covered by an existing resource consent or if consent is required.

Thanks,



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Wednesday, 20 July 2022 2:48 pm

To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>

Sent: Wednesday, 20 July 2022 2:42 pm

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers

Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Wednesday, 20 July 2022 1:41 pm

To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? I am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Tuesday, 19 July 2022 10:52 am

To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.

Here's a thread on the Ngarara stream as per our discussion.

Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Tuesday, July 19, 2022 10:50:32 AM

To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Hi

I met with Graham Campbell on Thursday.

He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>

Sent: Sunday, July 17, 2022 1:18:42 PM

To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,

It would be great if you could please provide me with an update on how any meetings and other discussions/activities went last week to progress removing the weed from the Ngarara Stream ASAP, in terms of the email below.

Kind regards

Jocelyn

Jocelyn Prvanov

Waikanae Ward Councillor

Environmental Wellbeing Portfolio

Kāpiti Coast District Council

Tel 04 296 4700

Mobile 021 111 0825

www.kapiticoast.govt.nz

From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>

Sent: Wednesday, July 13, 2022 9:52 AM

To: Penny Gaylor <penny.gaylor@gw.govt.nz>

Subject: Fw: A Reversal ... and a Disaster in the Making

Hi Penny,

I just wanted to keep you in the loop with what is happening. Below is the latest email that has gone to KCDC.

Someone called Nick Pearson

Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

has been providing information to Paul Busing about various non-complying activities that need to be met namely:

1. R54 of the Resource Management (NESF) Regulations.

Within the 50 member Peka Peka group, questions have been asked about whether a resource consent was issued to allow the wetland to expand, and that damming, diverting and discharging water within 100 m of a wetland stated in R54(c) (because of a lack of maintenance) is a non-complying activity which has caused all these problems in the first instance but has been overlooked.

2. The other rule that Nick quoted is Rule R110 of the proposed Natural Resourced Plan. I can't find any draft of it and from what I can see this plan is not operational because it's going through an appeal process, so I don't understand how this can be referred to. From what I can see it's the regional plan that is the operational plan. Is this correct? Within it there are sections that are highly relevant to the situation in Peka Peka namely:

<https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/>, <https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/> and <https://archive.gw.govt.nz/floodplain-management-planning/>.

It seems to me that so far this is being driven from an office desk in Wellington rather than looking at the situation on the ground and finding a way through this quagmire. Hopefully though, you can work your way through this by talking to others in GW who will take a pragmatic and practical approach to solving the problem in the very near future.

I look forward to hearing from you at the end of the week, and how you have got on talking to Graham Winterburn and Graham Campbell and maybe others.

Kind regards

Jocelyn

Jocelyn Prvanov

Waikanae Ward Councillor

Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825

www.kapiticoast.govt.nz

From: [REDACTED]

Sent: Tuesday, July 12, 2022 4:30 PM

To: [REDACTED]

Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]

[REDACTED] Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Disna/Sean, we need to set a date for the meeting with a suitably senior GWRC representative, given that we're all seeking their pragmatic approval to resume the clearance of the Ngarara Stream - at least from the Black Drain and Ngarara Stream convergence, down to the Waikanae Golf Course.

The urgency of this continues to be of critical importance to peoples' livelihoods, health and safety, and mental wellbeing.

I've just received an E-Mail from Paul Busing, where he's forwarded the latest response from GWRC, regarding their position, and the fact they can't meet with us this week.

Of the date options Paul mentions, the week beginning 28 July is far too late, and we really need it to happen as early as possible in the week beginning 18 July. I understand that Jocelyn is going to be away at conference later that week, so ideally we need to organise the session on Monday or Tuesday (18th or 19th July).

As you know, their representative needs to be senior enough to quickly authorise stream-clearance even if it means retrospectively issuing a consent, if one is in fact needed ... and also familiar enough with this part of their portfolio, that they understand the big picture, and that a middle ground is both being sought, and is possible.

The stated requirement for a GWRC resource consent being necessary, is in direct contrast to that provided by [REDACTED] when he meet with us on 1 July at the Pharazyn Reserve. He stated that no resource consent was required from GWRC, when vegetation only was to be removed from the Ngarara Stream in the vicinity of the wetland area.

An apparent paradox in respect of this stuff, is that a resource consent is required to extend a wetland because of any unplanned negative effects. It is my understanding that no resource consent or consents have been issued to permit the wetland areas to the north and south of the Pharazyn Reserve to be extended. Could you confirm if this is correct please ?

As I understand it, you are keen to identify a suitable window for the resumption and completion of this work. This must be completed by the end of August, if we are not to be stopped in our tracks by the season of fish migration and spawning.

Assuming 16 days is required to complete the work (based on the Goodmans estimate), that work must commence no later than 10 August.

We are keen to know what KCDC staff are doing as background work to expedite this process, and whether our group can help in any way.

For your further information, please be aware that we met with the party who raised some concerns about the nature of the clearance recently completed to the drain adjacent to the Black Swamp.

While they had concerns about how some of that vegetation was removed, they are in full agreement that the balance of the Ngarara Stream clearance should go ahead ... and quickly.

They also reaffirmed our view that any undue delay will see further inundation and damage south of the Pharazyn Ponds, should the pond's banks be overwhelmed by the remaining Winter and Spring rain events. An outcome which is highly likely.

Although the Black Drain has recently been cleaned out, water levels near Peka Peka Road have risen by 4 cm. If you work out the area of just that inundated land alone, that is a massive amount of water.

Please get back to us as soon as possible, and we will make ourselves available to meet with the GWRC folks - whether at your office, or (more desirably) on one of the affected properties.

Speak to you later.

■

PS

As discussed on Friday, Jocelyn is keeping Penny Taylor abreast of these matters, and seeking her help for further contact within GWRC, as appropriate.

On 9/07/2022, at 7:49 AM, ■ wrote:

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.

■

(On behalf of the Kawakahia Community Group)

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From: [Graeme Campbell](#)
To: [Nick Pearson](#)
Cc: [Joshua Knowles](#); [Shaun Andrewartha](#); [Jude Chittock](#); [Jacky Cox](#)
Subject: RE: Ngarara stream, as per our conversation on Thursday
Date: Wednesday, 20 July 2022 4:20:27 pm
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

Hi I do not really have any more than the emails below but am assuming they are wanting to clear the stream so that flood water can flow down it without rising to a level that it floods the adjacent properties or ponds on them for any significant time.

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

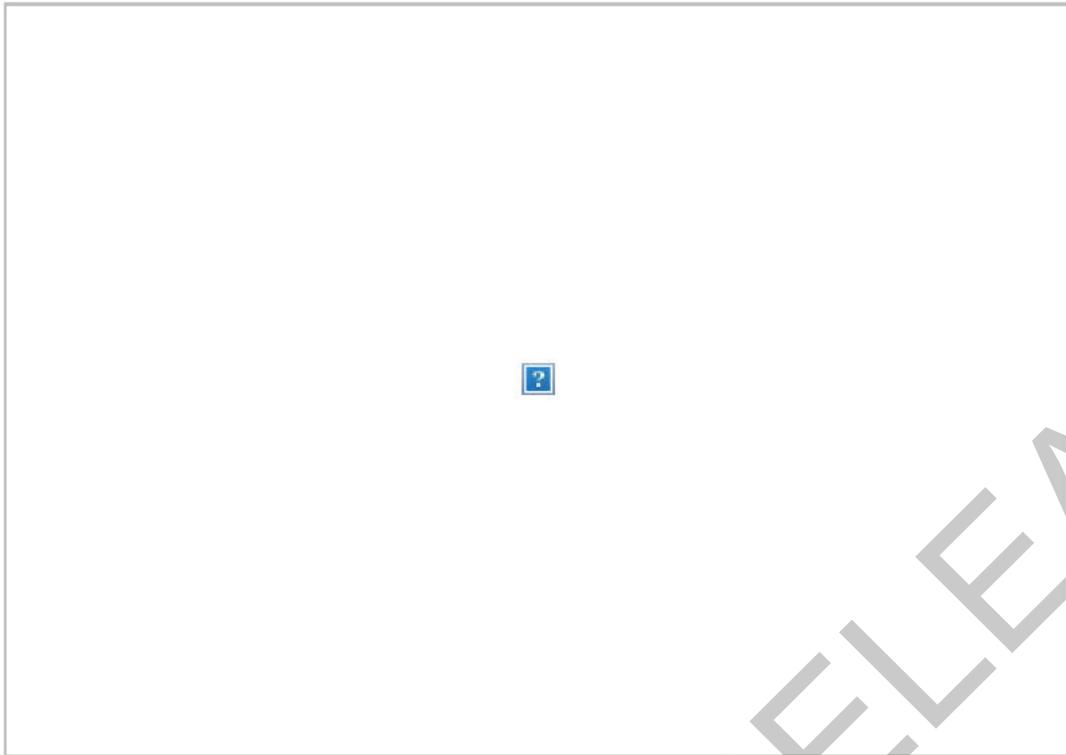
P O Box 11646, Wellington 6142

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From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Wednesday, 20 July 2022 3:01 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Cc: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

Hi Graeme,

My advice in which Jocelyn has commented on below was based on Paul Busing's indicative proposal (see the white area below). It seems the scope of what Paul proposed is more than what is actually required (for reference that white highlighted area is 1.2kms of vegetation clearance within a Schedule A wetland).



Are you able to give me an understanding of what exactly KCDC want to do, and then I can confirm if it is covered by an existing resource consent or if consent is required.

Thanks,



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Sent: Wednesday, 20 July 2022 2:48 pm

To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>

Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

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P O Box 11646, Wellington 6142
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:42 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers
Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 1:41 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? A am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell
Manager, Flood Protection
Greater Wellington Te Pane Matua Taiao
M: 0274 300 375
T: 04 830 4062
100 Cuba St,
P O Box 11646, Wellington 6142
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.
Here's a thread on the Ngarara stream as per our discussion.
Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi
I met with Graham Campbell on Thursday.
He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Sunday, July 17, 2022 1:18:42 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,
It would be great if you could please provide me with an update on how any meetings and other discussions/activities went last week to progress removing the weed from the Ngarara Stream ASAP, in terms of the email below.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Wednesday, July 13, 2022 9:52 AM
To: Penny Gaylor <penny.gaylor@gw.govt.nz>
Subject: Fw: A Reversal ... and a Disaster in the Making

Hi Penny,

I just wanted to keep you in the loop with what is happening. Below is the latest email that has gone to KCDC.

Someone called Nick Pearson

Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

has been providing information to Paul Busing about various non-complying activities that need to be met namely:

1. R54 of the Resource Management (NESF) Regulations.

Within the 50 member Peka Peka group, questions have been asked about whether a resource consent was issued to allow the wetland to expand, and that damming, diverting and discharging water within 100 m of a wetland stated in R54(c) (because of a lack of maintenance) is a non-complying activity which has caused all these problems in the first instance but has been overlooked.

2. The other rule that Nick quoted is Rule R110 of the proposed Natural Resourced Plan.

I can't find any draft of it and from what I can see this plan is not operational because it's going through an appeal process, so I don't understand how this can be referred to. From what I can see it's the regional plan that is the operational plan. Is this correct? Within it there are sections that are highly relevant to the situation in Peka Peka namely:

<https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/>, <https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/> and <https://archive.gw.govt.nz/floodplain-management-planning/>.

It seems to me that so far this is being driven from an office desk in Wellington rather than looking at the situation on the ground and finding a way through this quagmire. Hopefully though, you can work your way through this by talking to others in GW who will take a pragmatic and practical approach to solving the problem in the very near future.

I look forward to hearing from you at the end of the week, and how you have got on talking to Graham Winterburn and Graham Campbell and maybe others.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Tuesday, July 12, 2022 4:30 PM
To: [REDACTED]
Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Disna/Sean, we need to set a date for the meeting with a suitably senior GWRC representative, given that we're all seeking their pragmatic approval to resume the clearance of the Ngarara Stream - at least from the Black Drain and Ngarara Stream convergence, down to the Waikanae Golf Course.

The urgency of this continues to be of critical importance to peoples' livelihoods, health and safety, and mental wellbeing.

I've just received an E-Mail from Paul Busing, where he's forwarded the latest response from GWRC, regarding their position, and the fact they can't meet with us this week.

Of the date options Paul mentions, the week beginning 28 July is far too late, and we really need it to happen as early as possible in the week beginning 18 July. I understand that Jocelyn is going to be away at conference later that week, so ideally we need to organise the session on Monday or Tuesday (18th or 19th July).

As you know, their representative needs to be senior enough to quickly authorise stream-clearance even if it means retrospectively issuing a consent, if one is in fact needed ... and also familiar enough with this part of their portfolio, that they understand the big picture, and that a middle ground is both being sought, and is possible.

The stated requirement for a GWRC resource consent being necessary, is in direct contrast to that provided by [REDACTED] when he meet with us on 1 July at the Pharazyn Reserve. He stated that no resource consent was required from GWRC, when vegetation only was to be

removed from the Ngarara Stream in the vicinity of the wetland area.

An apparent paradox in respect of this stuff, is that a resource consent is required to extend a wetland because of any unplanned negative effects. It is my understanding that no resource consent or consents have been issued to permit the wetland areas to the north and south of the Pharazyn Reserve to be extended. Could you confirm if this is correct please ?

As I understand it, you are keen to identify a suitable window for the resumption and completion of this work. This must be completed by the end of August, if we are not to be stopped in our tracks by the season of fish migration and spawning.

Assuming 16 days is required to complete the work (based on the Goodmans estimate), that work must commence no later than 10 August.

We are keen to know what KCDC staff are doing as background work to expedite this process, and whether our group can help in any way.

For your further information, please be aware that we met with the party who raised some concerns about the nature of the clearance recently completed to the drain adjacent to the Black Swamp.

While they had concerns about how some of that vegetation was removed, they are in full agreement that the balance of the Ngarara Stream clearance should go ahead ... and quickly.

They also reaffirmed our view that any undue delay will see further inundation and damage south of the Pharazyn Ponds, should the pond's banks be overwhelmed by the remaining Winter and Spring rain events. An outcome which is highly likely.

Although the Black Drain has recently been cleaned out, water levels near Peka Peka Road have risen by 4 cm. If you work out the area of just that inundated land alone, that is a massive amount of water.

Please get back to us as soon as possible, and we will make ourselves available to meet with the GWRC folks - whether at your office, or (more desirably) on one of the affected properties.

Speak to you later.

■

PS

As discussed on Friday, Jocelyn is keeping Penny Taylor abreast of these matters, and seeking her help for further contact within GWRC, as appropriate.

On 9/07/2022, at 7:49 AM, ■ wrote:

Yesterday, we attended a meeting with the Stormwater team at the Council offices,

fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.

■

(On behalf of the Kawakahia Community Group)

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From: [Shaun Andrewartha](#)
To: [Nick Pearson](#); [Joshua Knowles](#)
Subject: RE: A Reversal ... and a Disaster in the Making
Date: Wednesday, 20 July 2022 2:12:39 pm
Attachments: [image001.png](#)
[FW Ngarara stream as per our conversation on Thursday \(51.3 KB\).msg](#)

Thanks Nick

Attached is the email from flood protection (I'm assuming it's the same issue?) – Graeme seems to think it could be covered under their global? Is that a possibility? Maybe worth linking in with FP and ensuring we're joined up with KCDC as to approach here (well as much as we can be anyway)

Happy to chat

Cheers
Shaun

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:10 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: A Reversal ... and a Disaster in the Making

Hey Shaun

Passed to Josh as he was dealing with it first.

We declined a meeting and told them to get a proposal together first. We really want them to undertake their own assessment under the NES etc

Josh – What happened after you sent that off?

Cheers



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:03 pm
To: Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: RE: A Reversal ... and a Disaster in the Making

Hey Nick,

What's the latest on this one? Just been approached by Flood Protection who have also been contacted. I'll forward that email on as well, but we will need to get aligned with FP and KCDC on this (if we can!)

Cheers
Shaun

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Tuesday, 12 July 2022 9:58 am
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Subject: FW: A Reversal ... and a Disaster in the Making

FYI – As discussed. Potential flooding issue in Waikanae that may come down through the councillors.

The proposal is to undertake vegetation clearance in the heavily scheduled Te Harakeke Swamp – could be quite a difficult consenting pathway.

See the bottom of this thread for concerns raised by the residents association.

Thanks,



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

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From: Nick Pearson
Sent: Tuesday, 12 July 2022 9:53 am
To: Paul Busing <Paul.Busing@kapiticoast.govt.nz>
Cc: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: RE: A Reversal ... and a Disaster in the Making

Morning Paul,

Thanks for your time on the phone yesterday. I'm unable to attend a site visit this week, I suggest organising something for the week of the 18th once Josh and Jude are back.

As Josh has already indicated, the proposed activity is likely to be a non-complying activity under Regulation R54 of the NES-FM and Rule R110 of the PNRP. As it is non-complying, the activity is generally not anticipated by the plan (or NES) and a number of matters will need to be

considered before we can advise on whether it can be consented.

I have also noted that the area of work you have highlighted is listed in Schedule C of the PNRP (Sites of significance to Te Ātiawa ki Whakarongotai), it is therefore likely that Te Ātiawa ki Whakarongotai would be considered an affected party to any application within this area.

If a meeting is to occur next week, it would be beneficial if KCDC have a general methodology and scope of works (clearly showing where vegetation clearance is proposed to occur).

Thanks,



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

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From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>

Sent: Tuesday, 12 July 2022 8:54 am

To: Nick Pearson <Nick.Pearson@gw.govt.nz>

Subject: RE: A Reversal ... and a Disaster in the Making

Hello Nick,

Thanks for discussing this yesterday. Just confirming that no one from GWRC is going to be able to meet the residents and KCDC on site until the week of the 17th July at the earliest.

Regards

Paul

Paul Busing

Stormwater & Coastal Assets Project Manager

Te Kaiarahi Pupuri Whanaketanga

Kāpiti Coast District Council

Tel 04 296 4745

Mobile 027 5552 745

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From: Nick Pearson <Nick.Pearson@gw.govt.nz>

Sent: Monday, July 11, 2022 12:53 PM

To: Paul Busing <Paul.Busing@kapiticoast.govt.nz>

Subject: RE: A Reversal ... and a Disaster in the Making

Hi Paul,

Thanks for this – Are you able to give me a call at some point to discuss?

Thanks,



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>

Sent: Monday, 11 July 2022 11:29 am

To: Nick Pearson <Nick.Pearson@gw.govt.nz>; Notifications <Notifications@gw.govt.nz>

Subject: FW: A Reversal ... and a Disaster in the Making

As per Joshua's and Jude's email notifications, please see the email below.

Regards

Paul

Paul Busing

Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Kāpiti Coast District Council

Tel 04 296 4745

Mobile 027 5552 745

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From: Paul Busing

Sent: Monday, July 11, 2022 11:17 AM

To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>

Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>

Subject: FW: A Reversal ... and a Disaster in the Making

Hello Joshua,

Further to our conversation and email about the Te Harakeke Wetland please see the email below which was sent to staff and our mayor following a meeting with representatives of the residents on Friday afternoon.

They have requested that we organise an urgent meeting with them and GWRC on site this week.

Are you able to attend, or have someone from GWRC attend a meeting?

If so, when would suit?

Regards
Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Kāpiti Coast District Council
Tel 04 296 4745
Mobile 027 5552 745

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From: [REDACTED]
Sent: Saturday, July 9, 2022 7:50 AM
To: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>
Cc: Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED] Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]
Subject: A Reversal ... and a Disaster in the Making

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

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Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

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Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.



(On behalf of the Kawakahia Community Group)

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PROACTIVE RELEASE

From: [Joshua Knowles](#)
To: [Sean Mallon](#); [Tamara Silk](#); [Alistair Cross](#)
Cc: [REDACTED]; [Jude Chittock](#); [Claire McKeivitt](#); [Paul Busing](#)
Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance
Date: Friday, 22 July 2022 1:17:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

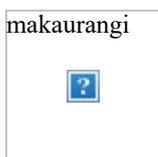
Hi Sean,

Thanks for your email.

I discussed this with Al Cross, and I understand that he has tried to get in contact with you to work out some next steps for this.

Please let Al or I know when suits you to discuss.

Thanks,



Josh Knowles (he/ him)

Kaitohutohu / Resource Advisor

Greater Wellington Te Pane Matua Taiao

Mobile: 021 346778

100 Cuba Street, Te Aro, Wellington 6011

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From: Sean Mallon <sean.mallon@kapiticoast.govt.nz>

Sent: Wednesday, 20 July 2022 3:28 pm

To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>

Cc: [REDACTED]; Jude Chittock <Jude.Chittock@gw.govt.nz>; Claire McKeivitt <Claire.McKeivitt@gw.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>

Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Hi Joshua,

In my opinion the community are a bit sick of hearing just from KCDC and having us front up at another meeting without a representative from GWRC is not going to be received very well. We will be having the meeting regardless so will pass on your comments and advise the people involved they need to follow up directly with GWRC if they have any questions or concerns with regard to what works are permissible through both the Ngarara Stream and surrounding area.

Cheers

Sean Mallon
Group Manager Infrastructure Services
Te Kaiwhakahaere Rōpū Ratonga Pakiaka

Kāpiti Coast District Council
Tel 04 296 4690
Mobile 027 5555 690

www.kapiticoast.govt.nz

From: Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Sent: Tuesday, 19 July 2022 9:13 am
To: Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>
Cc: [REDACTED]; Jude Chittock <Jude.Chittock@gw.govt.nz>; Claire McKeivitt <Claire.McKeivitt@gw.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>
Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Thanks both,

If you are going to consider advancing the s330 option please make sure that you consider that the provisions shall not apply to any activity undertaken to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency. There needs to be an adverse effect on the environment or a sudden event causing or likely to cause loss of life, injury, or serious damage to property which requires immediate preventive measures. As previously mentioned I suggest that you get an RMA Lawyer to review this for you.

I think that KCDC is best positioned for meeting with the community group. I understand that the flooding is having an adverse effect on these properties. However, until a proposal is developed I do not think there is much I can add beyond the advice I have given. If a proposal and assessment against statutory requirements is produced we will be able to give further detailed advice and a site visit might be appropriate at that stage.

Please let me know if you have any questions.

Thanks,

makaurangi



Josh Knowles (he/ him)

Kaitohutohu / Resource Advisor

Greater Wellington Te Pane Matua Taiao

Mobile: 021 346778

100 Cuba Street, Te Aro, Wellington 6011

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From: Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>

Sent: Monday, 18 July 2022 3:35 pm

To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>

Cc: [REDACTED]; Jude Chittock <Jude.Chittock@gw.govt.nz>; Claire McKevitt <Claire.McKevitt@gw.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>

Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Kia ora Joshua

Following on from Sean's email, do any of these times suit, please let me know and I will flick through an invite:

Thursday 21 July any time between 9am – 3pm

Friday 22 July 9 or 10am

Nga mihi

Tamara Silk

Executive Secretary Infrastructure Services / Strategy Growth &

Kāpiti Coast District Council

Tel 04 296 4853

www.kapiticoast.govt.nz

From: Sean Mallon <sean.mallon@kapiticoast.govt.nz>

Sent: Monday, 18 July 2022 3:31 pm

To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>

Cc: [REDACTED]; Jude Chittock <Jude.Chittock@gw.govt.nz>; Claire McKevitt <Claire.McKevitt@gw.govt.nz>

Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Hi Joshua

Thanks for the advice and appreciate the prompt response and we will certainly look to advance the section s330 option. The other issue here is the community, who would like to meet on site to discuss the some of the wider issues associated with carrying out works in around wetlands and some of NRP requirements associated with maintenance activities in streams and open channels. The plan was to meet on site with KCDC and GWRC represented to have that conversation. If you are able to provide some times that would work for GWRC and Tamara will look to coordinate the meeting (hopefully when it stops raining !)

Cheers

Sean Mallon

Group Manager Infrastructure Services

Te Kaiwhakahaere Rōpū Ratonga Pakiaka

Kāpiti Coast District Council

Tel 04 296 4690
Mobile 027 5555 690

www.kapiticoast.govt.nz

From: Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Sent: Monday, 18 July 2022 2:18 pm
To: Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>
Cc: [REDACTED]; Jude Chittock <Jude.Chittock@gw.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Claire McKevitt <Claire.McKevitt@gw.govt.nz>
Subject: RE: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Hi Paul,

Thanks for your email.

The decision to undertake works under section 330 of the RMA is the responsibility of the person, authority or operator and we do not “grant permission” for emergency works. You may be able to undertake the works under s330 of the Act however there is a very high threshold for this. In order to meet this threshold you must be able to conclusively answer yes (with explanation) to all four questions below;

- Is there an adverse effect on the environment?
- Is the adverse effect affecting, or likely to affect a public work, natural/physical resource/area or network/lifeline utility operation?
- Does the adverse effect require immediate preventive or remedial measures?
- Is the work to be undertaken by a TA, GWRC, or a network/lifeline utility operator (or on their behalf under their expressed instruction)

Please see the full provisions of s330 here

<https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM239003.html>. Please note that section 330 is reserved for **immediate solutions/remediation** to an emergency, not necessarily a long term solution to an existing environmental hazard.

If you do choose to proceed with carrying out emergency works then you need to do the minimum amount of works needed to prevent ‘the emergency’, and should not go above or beyond this scope. If there are any alternative measures that are reasonably available and which do not amount to a breach of the RMA, or which would involve less environmental impact, they should be taken. These judgements must be made objectively and reasonably, if you decide to take action under s330 you will need to notify GWRC within 7 days and I suggest that you should document the rationale and decision making process for any actions taken.

I recognise the tricky situation you are in with the flooding. I think it is in KCDC’s best interests to get a legal opinion on if the proposed works would comply with s330 of the RMA. Please note that if works are carried out without resource consent (that are not a permitted activity) that

GWRC do not consider to meet the legal tests of s330 of the RMA, we may investigate these as a breach of the RMA. If you have additional details of what the proposed works include that would be helpful to know.

I suggest that you write up a scope for the works proposed and provide an assessment under the PNRP and NES Freshwater, based on the initial advice provided in my previous email. I will have a chat internally with our Flood Protection Department about this site and see what advice or extra considerations they have.

Please let me know if you have any further questions.

Thanks,



Josh Knowles (he/ him)

Kaitohutohu / Resource Advisor

Greater Wellington Te Pane Matua Taiao

Mobile: 021 346778

100 Cuba Street, Te Aro, Wellington 6011

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From: Paul Busing <Paul.Busing@kapiticoast.govt.nz>

Sent: Thursday, 14 July 2022 2:52 pm

To: Tamara Silk <Tamara.Silk@kapiticoast.govt.nz>

Cc: [REDACTED] Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>

Subject: Meeting between GWRC, First Gas and KCDC - Ngarara Stream Clearance

Hello Tamara,

In speaking with Sean, can you please seek to organise a meeting between GWRC, First Gas and KCDC regarding the clearing of the Ngarara Stream for next week.

I am on leave next week and both Joshua and Jude from GWRC are on leave this week and the acting team leaders has indicated that they would like to leave it until they get back hence why I am asking you to help.

I have copied everyone into the email for the invite, [REDACTED] would like to bring someone from the technical side from First Gas as well, but I am sure she can pass on any invite.

Please note that the residents are also wishing to have a meeting on site with GWRC and KCDC, however we are **not to include** the residents in this meeting.

The agenda for the meeting is around how GWRC feel around the exercise of S330 powers under the RMA.

Specific issues that need discussion

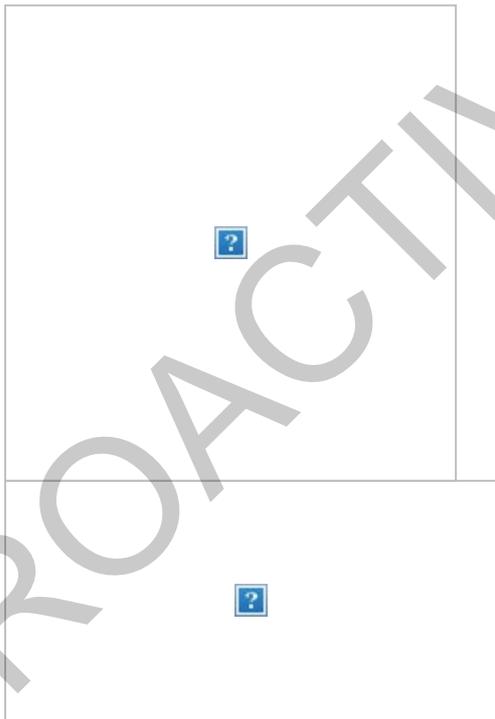
1. Both KCDC [sewer] and First Gas [natural gas] are network utility operators and have concerns around their infrastructure..
2. Likelihood of flooding affecting, or likely to affect the sewer/gasline resulting in an adverse environmental effect or sudden event causing or likely to cause loss of life, or serious damage to property that requires immediate action.
3. If an emergency clearance of the ngarara stream through the wetland results in an adverse effect that continues, and therefore requires retrospective consent.
4. If a retrospective consent is deemed to be required, it will be extremely difficult to put a complete application together within 20 working days following the clearance. Therefore what would GWRC's expectation be in this area.
5. If GWRC have concerns around the use of S330 RMA do they have any suggestions as a way forward.

Regards

Paul

Paul Busing
Stormwater & Coastal Assets Project Manager
Te Kaiarahi Pupuri Whanaketanga

Tel 04 296 4745
Mobile 027 5552 745



www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: [Alistair Cross](#)
To: [Penny Gaylor](#)
Subject: Re: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 7:00:23 pm
Attachments: [image001.png](#)
[image002.png](#)

Ok, can call you from the car around 9 then Penny. Talk then.

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 26, 2022 6:26:56 PM
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Subject: Re: Ngarara stream, as per our conversation on Thursday

Kia ora,
[REDACTED] rang me thus afternoon too.

How about 9 tomorrow or, 12, or 3?

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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, July 26, 2022 6:13:08 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Cc: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Subject: Fwd: Ngarara stream, as per our conversation on Thursday

Penny

A heads up that I am now connecting with Sean Mallon at KCDC on a joint way forward (proposal and consenting).

I'm keen to briefly speak with you about that.

I've also been approached by resident [REDACTED], who I'll call once I've spoken with you.

Let me know a good time to call you tomorrow.

Thanks

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: 027 201 3571

100 Cuba Street, Te Aro, Wellington 6011

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Sent: Tuesday, July 26, 2022 1:34 PM

To: Alistair Cross

Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you about

Cheers

Jude

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Sent: Tuesday, 26 July 2022 1:23 pm
To: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday



Nick Pearson
Kaitohutohu / Senior Resource Advisor, Environmental Regulation
Greater Wellington Te Pane Matua Taiao
DDI: 04 830 4345
100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Just fyi and noting Jacky is away on leave at the moment

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:48 pm
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Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell
Manager, Flood Protection
Greater Wellington Te Pane Matua Taiao
M: 0274 300 375
T: 04 830 4062
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P O Box 11646, Wellington 6142
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Sent: Wednesday, 20 July 2022 2:42 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers
Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
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To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? A am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.
Here's a thread on the Ngarara stream as per our discussion.
Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi

I met with Graham Campbell on Thursday.

He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Sunday, July 17, 2022 1:18:42 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,

It would be great if you could please provide me with an update on how any meetings and other discussions/activities went last week to progress removing the weed from the Ngarara Stream ASAP, in terms of the email below.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Wednesday, July 13, 2022 9:52 AM
To: Penny Gaylor <penny.gaylor@gw.govt.nz>
Subject: Fw: A Reversal ... and a Disaster in the Making

Hi Penny,

I just wanted to keep you in the loop with what is happening. Below is the latest email that has gone to KCDC.

Someone called Nick Pearson

Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

has been providing information to Paul Busing about various non-complying activities that need to be met namely:

1. R54 of the Resource Management (NESF) Regulations.

Within the 50 member Peka Peka group, questions have been asked about whether a resource consent was issued to allow the wetland to expand, and that damming, diverting and discharging water within 100 m of a wetland stated in R54(c) (because of a lack of maintenance) is a non-complying activity which has caused all these problems in the first instance but has been overlooked.

2. The other rule that Nick quoted is Rule R110 of the proposed Natural Resourced Plan. I can't find any draft of it and from what I can see this plan is not operational because it's going through an appeal process, so I don't understand how this can be referred to. From what I can see it's the regional plan that is the operational plan. Is this correct? Within it there are sections that are highly relevant to the situation in Peka Peka namely:

<https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/>, <https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/> and <https://archive.gw.govt.nz/floodplain-management-planning/>.

It seems to me that so far this is being driven from an office desk in Wellington rather than looking at the situation on the ground and finding a way through this quagmire. Hopefully though, you can work your way through this by talking to others in GW who will take a pragmatic and practical approach to solving the problem in the very near future.

I look forward to hearing from you at the end of the week, and how you have got on talking to Graham Winterburn and Graham Campbell and maybe others.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: [REDACTED]

Sent: Tuesday, July 12, 2022 4:30 PM

To: [REDACTED]

Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED] <[REDACTED]>; Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED] <[REDACTED]>; Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>

Subject: Re: A Reversal ... and a Disaster in the Making

Disna/Sean, we need to set a date for the meeting with a suitably senior GWRC representative, given that we're all seeking their pragmatic approval to resume the clearance of the Ngarara Stream - at least from the Black Drain and Ngarara Stream convergence, down to the Waikanae Golf Course.

The urgency of this continues to be of critical importance to peoples' livelihoods, health and safety, and mental wellbeing.

I've just received an E-Mail from Paul Busing, where he's forwarded the latest response from GWRC, regarding their position, and the fact they can't meet with us this week.

Of the date options Paul mentions, the week beginning 28 July is far too late, and we really need it to happen as early as possible in the week beginning 18 July. I understand that Jocelyn is going to be away at conference later that week, so ideally we need to organise the session on Monday or Tuesday (18th or 19th July).

As you know, their representative needs to be senior enough to quickly authorise stream-clearance even if it means retrospectively issuing a consent, if one is in fact needed ... and also familiar enough with this part of their portfolio, that they understand the big picture, and that a middle ground is both being sought, and is possible.

The stated requirement for a GWRC resource consent being necessary, is in direct contrast to that provided by [REDACTED] when he met with us on 1 July at the Pharazyn Reserve. He stated that no resource consent was required from GWRC, when vegetation only was to be removed from the Ngarara Stream in the vicinity of the wetland area.

An apparent paradox in respect of this stuff, is that a resource consent is required to extend a wetland because of any unplanned negative effects. It is my understanding that no resource consent or consents have been issued to permit the wetland areas to the north and south of the Pharazyn Reserve to be extended. Could you confirm if this is correct please ?

As I understand it, you are keen to identify a suitable window for the resumption and completion of this work. This must be completed by the end of August, if we are not to be stopped in our tracks by the season of fish migration and spawning.

Assuming 16 days is required to complete the work (based on the Goodmans estimate), that work must commence no later than 10 August.

We are keen to know what KCDC staff are doing as background work to expedite this process, and whether our group can help in any way.

For your further information, please be aware that we met with the party who raised some concerns about the nature of the clearance recently completed to the drain adjacent to the Black Swamp.

While they had concerns about how some of that vegetation was removed, they are in full agreement that the balance of the Ngarara Stream clearance should go ahead ... and quickly.

They also reaffirmed our view that any undue delay will see further inundation and damage south of the Pharazyn Ponds, should the pond's banks be overwhelmed by the remaining Winter and Spring rain events. An outcome which is highly likely.

Although the Black Drain has recently been cleaned out, water levels near Peka Peka Road have risen by 4 cm. If you work out the area of just that inundated land alone, that is a massive amount of water.

Please get back to us as soon as possible, and we will make ourselves available to meet with the GWRC folks - whether at your office, or (more desirably) on one of the affected properties.

Speak to you later.

■

PS

As discussed on Friday, Jocelyn is keeping Penny Taylor abreast of these matters, and seeking her help for further contact within GWRC, as appropriate.

On 9/07/2022, at 7:49 AM, [REDACTED] wrote:

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents

alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.

■

(On behalf of the Kawakahia Community Group)

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From: [Alistair Cross](#)
To: [Penny Gaylor](#)
Cc: [Graeme Campbell](#); [Shaun Andrewartha](#)
Bcc: [Alistair Cross](#)
Subject: Fwd: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 6:13:09 pm
Attachments: [image001.png](#)
[image002.png](#)

Penny

A heads up that I am now connecting with Sean Mallon at KCDC on a joint way forward (proposal and consenting).

I'm keen to briefly speak with you about that.

I've also been approached by resident [REDACTED], who I'll call once I've spoken with you.

Let me know a good time to call you tomorrow.

Thanks

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

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Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you about

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Nick Pearson
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Just fyi and noting Jacky is away on leave at the moment

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Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



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Subject: RE: Ngarara stream, as per our conversation on Thursday

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Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.

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Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi

I met with Graham Campbell on Thursday.

He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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Sent: Sunday, July 17, 2022 1:18:42 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,

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Kind regards

Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

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Sent: Wednesday, July 13, 2022 9:52 AM
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Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

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To: [REDACTED]
Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]
[REDACTED] Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]
[REDACTED] Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

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We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.



(On behalf of the Kawakahia Community Group)

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

From: [Alistair Cross](#)
To: [Jude Chittock](#); [Shaun Andrewartha](#); [Joshua Knowles](#)
Bcc: [Alistair Cross](#)
Subject: Re: Ngarara stream, as per our conversation on Thursday
Date: Tuesday, 26 July 2022 6:08:50 pm
Attachments: [image001.png](#)
[image002.png](#)

Thanks for your ongoing great work here Josh and Jude!

Shaun, looping you in, and following conversations I had today with the team and Sean Mallon respectively.

Actions:

- I'll provide Cr Gaylor an update including proposed strategy: to align with KCDC around options for a proposal before agreeing to meet KCDC and residents on site.
- I'll call resident [REDACTED] tomorrow to listen, update him, and discuss our preferred approach.
- KCDC will work on a draft proposal which they'll look to share with us in around a week's time.

Certainly a good deal of heat on this which I'll continue to attempt to manage (both upwards, and over to KCDC) by ensuring that we are joined with KCDC in respective applicant and consent holder roles, and outcomes focus.

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

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From: Jude Chittock <Jude.Chittock@gw.govt.nz>
Sent: Tuesday, July 26, 2022 1:34:39 PM
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Al

For background see yellow highlight below. I suspect this is what [REDACTED] may want to talk to you about

Cheers
Jude

From: Nick Pearson <Nick.Pearson@gw.govt.nz>
Sent: Tuesday, 26 July 2022 1:23 pm
To: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Nick Pearson <Nick.Pearson@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Just fyi and noting Jacky is away on leave at the moment

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:48 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

Thanks for the update Shaun. I think just keep me and Jacky in the loop rather than introducing someone new and I can deal with anything that comes up in the next couple of days

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>
Sent: Wednesday, 20 July 2022 2:42 pm
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: RE: Ngarara stream, as per our conversation on Thursday

The team are aware of this one. Although we have been given very little information on what is wanting to be done here. The only plan we have been provided is vegetation clearance within a Schedule A wetland, which I would doubt is covered by Flood Protection's global?

I'll get the team (Nick Pearson and Josh Knowles) to link in with your team Graeme. I see Jacky is away – who's the best person in her absence?

FYI - I had already sent a separate email to Penny giving her a heads up on this one and told her I'll keep her in the loop as things develop

Cheers
Shaun

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Wednesday, 20 July 2022 1:41 pm
To: Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Jacky Cox <Jacky.Cox@gw.govt.nz>
Subject: FW: Ngarara stream, as per our conversation on Thursday

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? A am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.

Here's a thread on the Ngarara stream as per our discussion.

Thanks Penny

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Sent: Tuesday, July 19, 2022 10:50:32 AM

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[REDACTED] Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]
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From: [Alistair Cross](#)
To: [Joshua Knowles](#); [Jude Chittock](#)
Subject: FW: Community Group - flooding
Date: Tuesday, 26 July 2022 12:49:54 pm
Attachments: [image002.png](#)
[image003.png](#)

Josh, Jude

Have you has any dealings with [REDACTED] (see below) in your recent Kapiti work?

Al

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Tuesday, 26 July 2022 11:49 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>; Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>
Subject: RE: Community Group - flooding

Hi

Not sure about this. I have a suspicion that this is actually about others meeting or being required to have consents for activities in drains, watercourses and wetlands rather than GW flood protection activities. I will give him a call but likely to require someone from E reg to follow up

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Sent: Tuesday, 26 July 2022 9:14 am
To: Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>
Subject: FW: Community Group - flooding

Hi Graeme and Wayne

This email below came from the contact centre. But it's about FP so we have forwarded it on to you to respond back to [REDACTED].

Kindest regards
Sharon

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, 26 July 2022 8:43 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>; Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Re: Community Group - flooding

Yes, for Wayne and Graeme I think?

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management
Greater Wellington Te Pane Matua Taiao
DDI: 027 201 3571
100 Cuba Street, Te Aro, Wellington 6011

Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Sent: Tuesday, July 26, 2022 8:31 AM
To: Alistair Cross
Subject: FW: Community Group - flooding

This should be for Flood Protection?

Ngā mihi
Shaz

From: Sarah Newman <Sarah.Newman@gw.govt.nz>
Sent: Tuesday, 26 July 2022 8:31 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Subject: Community Group - flooding

Kia ora Sharon,

[REDACTED] from Kawakahia (a community group in Peka Peka) wanted to set up a meeting with Al Cross regarding flooding in Peka Peka. I said I would pass his details on.

M – [REDACTED]
E – [REDACTED]

Cheers,



Sarah Newman

Contact Centre Operator | Kaimahi Pokapū Whakapā
Greater Wellington Te Pane Matua Taiao
100 Cuba St, Te Aro, Wellington 6011
PO Box 11646, Manners St, Wellington 61421056
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

PROACTIVE RELEASE

From: [Joshua Knowles](#)
To: [Alistair Cross](#); [Jude Chittock](#)
Subject: RE: Community Group - flooding
Date: Tuesday, 26 July 2022 1:07:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Al,

As discussed [REDACTED] represents the Kawakahia Community Group, I think this all relates to the Te Harakeke Wetland/ Ngarara Stream flooding issue that we were all discussing last week.

Thanks,



Josh Knowles (he/ him)
Kaitohutohu / Resource Advisor
Greater Wellington Te Pane Matua Taiao
Mobile: 021 346778
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Tuesday, 26 July 2022 12:50 pm
To: Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: FW: Community Group - flooding

Josh, Jude

Have you has any dealings with [REDACTED] (see below) in your recent Kapiti work?

Al

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Tuesday, 26 July 2022 11:49 am
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>; Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>
Subject: RE: Community Group - flooding

Hi

Not sure about this. I have a suspicion that this is actually about others meeting or being required to have consents for activities in drains, watercourses and wetlands rather than GW flood protection activities. I will give him a call but likely to require someone from E reg to follow up

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](#)

From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>

Sent: Tuesday, 26 July 2022 9:14 am

To: Wayne O'Donnell <Wayne.O'Donnell@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>

Cc: Sarah Newman <Sarah.Newman@gw.govt.nz>

Subject: FW: Community Group - flooding

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[Al Cross \(he/him\)](#)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

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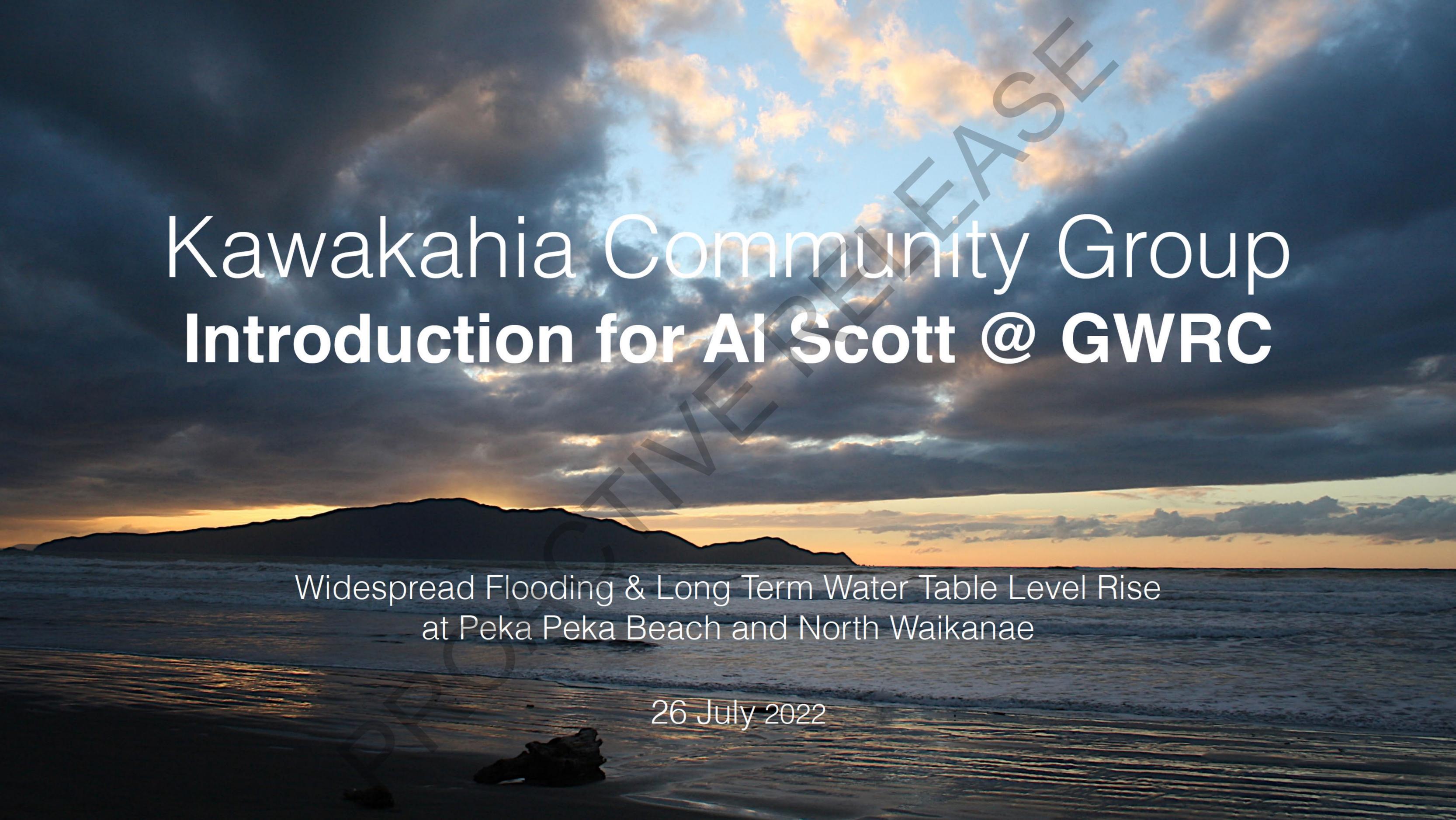
M – ██████████
E – ██████████

Cheers,



Sarah Newman
Contact Centre Operator | Kaimahi Pokapū Whakapā
Greater Wellington Te Pane Matua Taiao
100 Cuba St, Te Aro, Wellington 6011
PO Box 11646, Manners St, Wellington 61421056
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PROACTIVE RELEASE



Kawakahia Community Group Introduction for Al Scott @ GWRC

Widespread Flooding & Long Term Water Table Level Rise
at Peka Peka Beach and North Waikanae

26 July 2022

Critical Areas of Concern

The Private Way

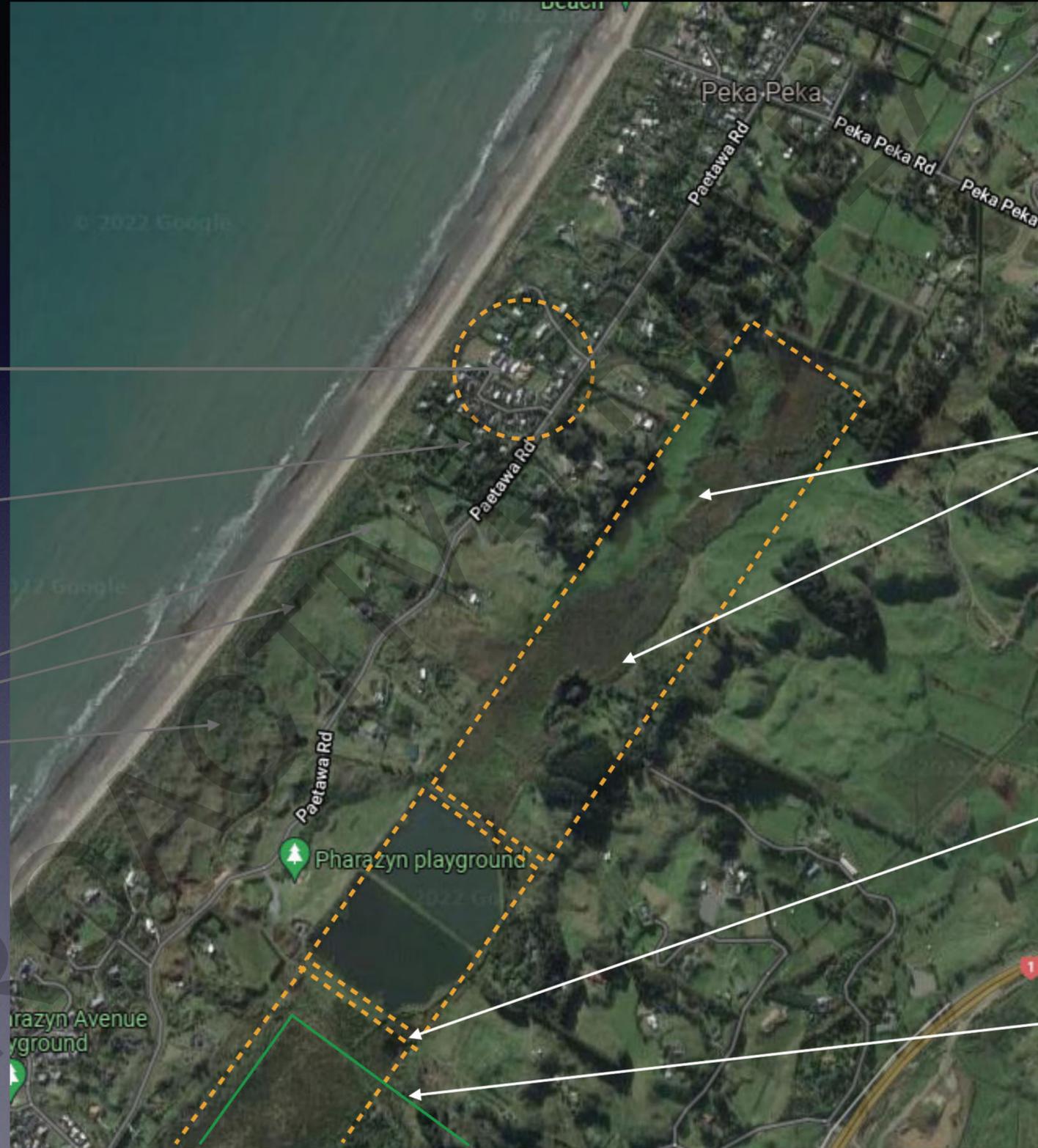
Marram Way

Behind the Coastal Dunes

Flooded Area ("The Trench")

The "Black Drain"

Ngarara Stream



PR

Our Drone View

(As at 20 June 2022)



Heading North over "The Trench"



A Southerly Perspective to WGC

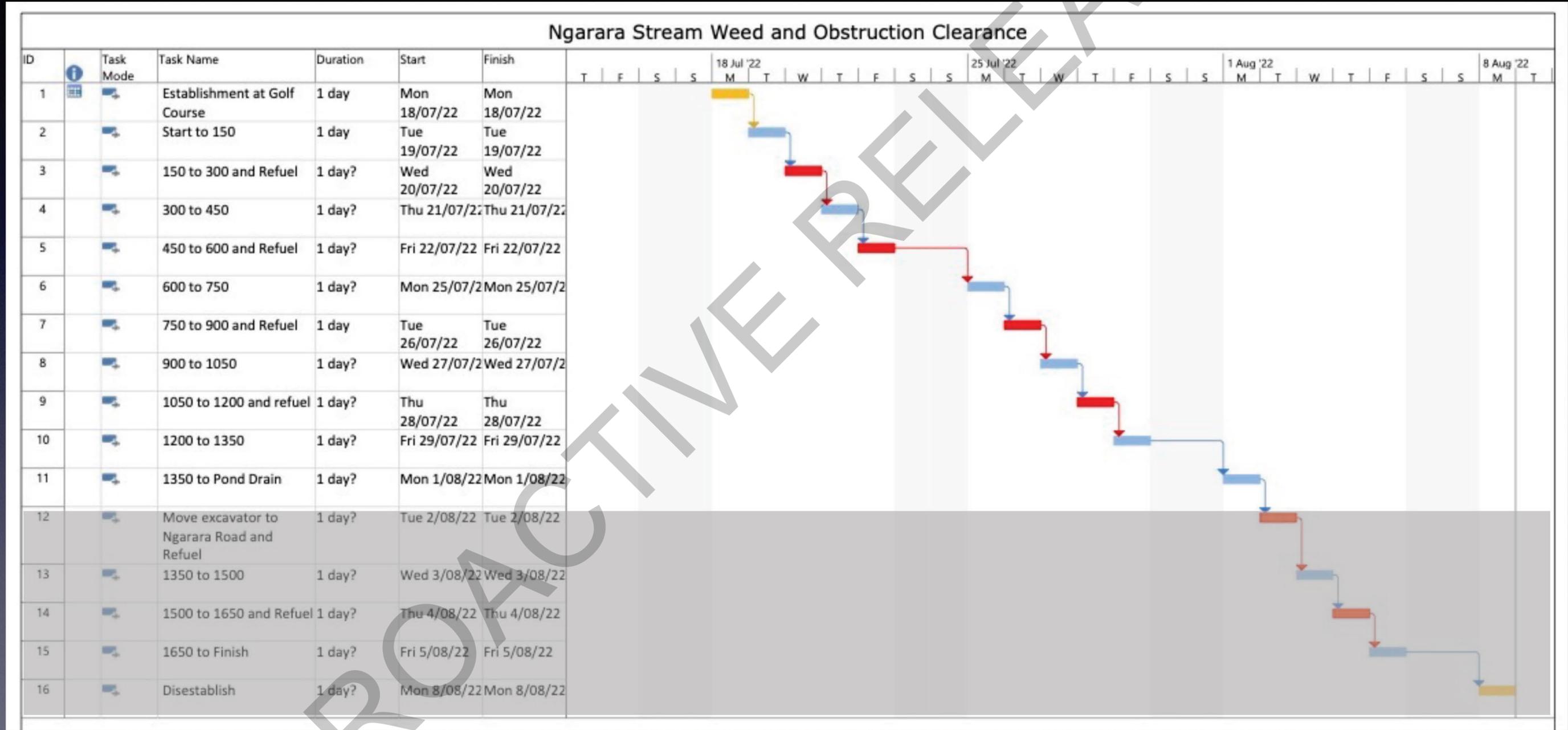
The Council View



The Contractor View



The Contractor's Plan



Drivers for Action

- **Health and Safety Concerns** - including residents' elevated stress levels, and concerns about submerged septic tanks
- **Land and Property Damage** - including the death of hundreds of Mature Trees and shrubs (incl. Natives)
- **Infrastructure Dangers** - including FirstGas Pipeline submerged for more than 1 Kilometre
- **Habitat Damage** for pre-flood animals and birds - including rotting land ... and (ironically) submerged wetland we all want to prosper
- **Reducing Property Valuations** - as repeat Flood Reports negatively impact sales (albeit with no mention of "Flood Zone" on LIMs)
- **Reduced Grazing Income** - as the current flooding covers previous areas of pasture
- **Repeated Service Requests** from the Primary Landowner and other Residents/Ratepayers
- **The Paetawa Drainage Agreement** - binding KCDC to maintain drainage in the area, incl. the Ngarara Stream
- **Deeper/Wider Flooding and Inundation** - due to Recurring and more frequent Severe Weather Events and Rainfall

What's Stopping Us ?

- **KCDC Cancelled Contracted work on the Ngarara Stream** - following late advice (or consent application) to GWRC, and their response
- **GWRC Feedback from Wellington** suggests that the planned clearance activities need consent (at best), and may never receive consent approval - due to constraints in the Resource Management Regulations
- **GWRC Feedback from the Coast** suggests that work on private land does not require consent
- In 2019 **GWRC flagged the wetland** on the Landowner's property as a "significant natural wetland" in the (Proposed) Natural Resources Plan
- **The GWRC Position(s)** seem to focus on the waterway being either "natural" or "highly modified", and whether it crosses multiple properties, and/or crosses a wetland

The Kawakahia View

“Our sole objective is to clear a clogged waterway drain, to reduce and mitigate against harmful and dangerous flooding, both now and in the future”

- Action is required now, to safeguard the health of residents, protect key infrastructure and properties, and mitigate against even greater flooding from future serious weather events - of which there will be many
- The Ngarara Stream is a highly modified waterway, peripheral to the wetland in question - and the remainder of the work already started, does not cross multiple property boundaries
- The stream lies within the property of the landowner of the wetland, who's requested KCDC to clear unwanted vegetation, under terms of an existing Agreement (the Paetawa Drainage Agreement), which precedes other policy or regulation documents
- The extent of the work is limited to the removal of blocking vegetation, with no planned silt removal
- We believe our approach is “middle ground” in nature - neither physically damaging the adjacent wetland, nor the intentions of the QE11 Covenant on the title of that land - and is in the spirit of current and emerging policy (including Three Waters)

“This is an Emergency in the making, and should be flagged as such”

From: [Alistair Cross](#)
To: [Penny Gaylor](#)
Subject: FW: Automatic reply: Kawakahia Community Group
Date: Wednesday, 27 July 2022 10:10:00 am
Attachments: [Al Scott Intro.pdf](#)
[image001.png](#)

Penny

██████████ presso.

See my name is now Al Scott....doesn't he make wine??

From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Sent: Wednesday, 27 July 2022 9:40 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: FW: Automatic reply: Kawakahia Community Group

Hi ██████████ phoned again regarding this PPT and if I received it.

I said you will ring him but you are currently off site.

Ngā mihi



Sharon Hornal
Kaiāwhina Matua ki te Kaiwhakahaere Matua mo te Taiao
Executive Assistant – General Manager, Environment
and General Manager, Environment Management
Greater Wellington Te Pane Matua Taiao
Mobile: 027 661 4677
100 Cuba Street, Te Aro, Wellington 6011
Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: ██████████
Sent: Tuesday, 26 July 2022 4:40 pm
To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
Subject: Re: Automatic reply: Kawakahia Community Group

I've contact your ICT folks to provide advice on how to get the larger presentation through to you (compete with the embedded drone footage).

In the meantime, here's the (much) smaller version in PDF format. It might be enough to get the

conversation going ... although I'd still prefer to share the larger "active" version with AI).

Speak to you later.

■

On 26/07/2022, at 3:47 PM, Sharon Hornal <Sharon.Hornal@gw.govt.nz> wrote:

Hi ■

If you can send this through OneDrive and share the file with me this is our preferred method of accepting files from external people.

When AI is free, he will be in a position to contact you but as I advised ■, it won't be today.

Ngā mihi

<image001.png>

Sharon Hornal

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Executive Assistant – General Manager, Environment
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Greater Wellington Te Pane Matua Taiao
Mobile: 027 661 4677
100 Cuba Street, Te Aro, Wellington 6011

Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: ■

Sent: Tuesday, 26 July 2022 3:10 pm

To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>

Subject: Re: Automatic reply: Kawakahia Community Group

Sharon, are there any GWRC safeguards which would preclude me sending you a brief presentation, as an introduction for AI, and which we could discuss further in a call ?

It's fairly big (due to embedded video footage), and I'd be sending it via Mail Drop.

Speak to you later.

On 26/07/2022, at 11:34 AM, Sharon Hornal
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Hi [REDACTED]

Thank you for your email.

Al is in back to back meetings all day today however if you can give me a briefing as to the issue you are referring to, I can pass this onto Al and then arrange a call with you.

Ngā mihi

<image001.png>

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Greater Wellington Te Pane Matua Taiao

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100 Cuba Street, Te Aro, Wellington 6011

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online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: [REDACTED]

Sent: Tuesday, 26 July 2022 11:27 am

To: Sharon Hornal <Sharon.Hornal@gw.govt.nz>

Subject: Fwd: Automatic reply: Kawakahia Community Group

Sharon, can you possibly assist in establishing a call with Al ?

I sent him the following message a short time ago ...

Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

Can you please provide date or time we can have that call, or contact me directly on [REDACTED]?

Speak to you later.

[REDACTED]

Begin forwarded message:

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Automatic reply: Kawakahia
Community Group
Date: 26 July 2022 at 11:20:56 AM NZST
To: [REDACTED]

Kia ora tatou

I'm out of the office in meetings all day today (Tuesday 26 July).

Please contact Sharon Hornal (Sharon.Hornal@gw.govt.nz) if your email is urgent.

Nga mihi

Al

Al Cross
General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

Mobile: 027 201 3571

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PROACTIVE RELEASE

From: [Alistair Cross](#)
To: [Jude Chittock](#); [Joshua Knowles](#)
Cc: [Shaun Andrewartha](#)
Subject: FW: Automatic reply: Kawakahia Community Group
Date: Wednesday, 27 July 2022 5:50:09 pm
Attachments: [Al Scott Intro.pdf](#)
[image001.png](#)

FYI, and speaking with [REDACTED] right now. Note, I am not Al Scott

From: Sharon Hornal <Sharon.Hornal@gw.govt.nz>
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and General Manager, Environment Management
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Al

Al Cross
General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

Mobile: 027 201 3571

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PROACTIVE RELEASE

From: [Alistair Cross](#)
To: [Jude Chittock](#); [Joshua Knowles](#); [Penny Gaylor](#)
Cc: [Shaun Andrewartha](#); [Graeme Campbell](#)
Subject: Fwd: Kawakahia Community Group
Date: Thursday, 28 July 2022 9:23:43 am

Hi all

Constructive conversation last evening with [REDACTED] who heads the local community group of interest.

I'll link again with Sean Mallon.

Penny, all the best for your visit to the site tomorrow.

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

Follow us online: [Facebook](#) | [Twitter](#) | gw.govt.nz

From: Alistair Cross <Alistair.Cross@gw.govt.nz>

Sent: Thursday, July 28, 2022 8:24 AM

To: [REDACTED]

Subject: Re: Kawakahia Community Group

Thanks [REDACTED]

Yes, a very constructive conversation, and again very much appreciated the material you provided me and your clear explanation of the issues for the residents.

In terms of solutions - the timeframes for possible short and longer term solutions can be exploded further and led out by KCDC by way of preferred approaches and methods.

I wouldn't want to put a timeline on achieving outcomes at this stage. As I said last night potential emergency works solutions will need to developed by KCDC (if possible).

Longer term 'global' consenting solutions could still take a good period of time (possibly up to months) to work through.

That said, our Councils are connected and works together in our respective roles, and with the community to progress this.

Thanks again

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](https://www.gw.govt.nz/100-Cuba-Street-Te-Aro-Wellington-6011)

Follow us online: [Facebook](#) | [Twitter](#) | [gw.govt.nz](https://www.gw.govt.nz)

From: [REDACTED]
Sent: Thursday, July 28, 2022 5:46:05 AM
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Kawakahia Community Group

Al, thanks very much for taking the time to talk with me yesterday evening ... and for listening ... it was much appreciated.

I'm pleased to say that I covered off most of the ground I'd hoped to during the session, and that the overall experience was both constructive and encouraging.

I look forward to the outcome of further discussions between GWRC, KCDC and ourselves ... and one of my takeaways from last night, was this can be traversed in days and weeks, rather than in months ... and that a level of middle ground can not only be sought, but achieved ... and in time to make a difference.

Speak to you later.

[REDACTED]

> On 27/07/2022, at 1:58 PM, Alistair Cross <Alistair.Cross@gw.govt.nz> wrote:

>

> Kia ora [REDACTED]

>

> Nice to hear from you, and sorry I couldn't respond until now.

>

> I'm still waylaid by back-to-back meetings today.

>

> Can I call you sometime after 4.30 today?

>

> Ngā mihi

>

> Al

>

>

> Al Cross (he/him)

> Kaiwhakahaere Matua Taiao | General Manager, Environment Management

> Greater Wellington Te Pane Matua Taiao

> DDI: 027 201 3571

> 100 Cuba Street, Te Aro, Wellington 6011

> Follow us online: Facebook | Twitter | gw.govt.nz

>

>

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Tuesday, 26 July 2022 11:21 am

> To: Alistair Cross <Alistair.Cross@gw.govt.nz>

> Subject: Kawakahia Community Group

> Importance: High

>

> Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

>

> I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

>

> During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

>

> Can you please provide date or time we can have that call, or contact me directly on [REDACTED]

> [REDACTED]?

>

> Speak to you later.

>

>

>

>

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From: [Alistair Cross](#)
To: [Sean Mallon](#)
Subject: FW: Kawakahia Community Group
Date: Friday, 29 July 2022 11:11:46 am

Kia ora Sean

See below following a conversation I had with [REDACTED] on Wednesday evening.

Look to ensure expectations were clear.

Let me know if you want to discuss, but in case you also hear from [REDACTED] and co in the near future.

And finally, Cr Penny Gaylor is visiting the area today on invitation of [REDACTED]

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Thursday, 28 July 2022 8:24 am
To: [REDACTED]
Subject: Re: Kawakahia Community Group

Thanks [REDACTED]

Yes, a very constructive conversation, and again very much appreciated the material you provided me and your clear explanation of the issues for the residents.

In terms of solutions - the timeframes for possible short and longer term solutions can be exploded further and led out by KCDC by way of preferred approaches and methods.

I wouldn't want to put a timeline on achieving outcomes at this stage. As I said last night potential emergency works solutions will need to developed by KCDC (if possible). Longer term 'global' consenting solutions could still take a good period of time (possibly up to months) to work through.

That said, our Councils are connected and works together in our respective roles, and with the community to progress this.

Thanks again

Al

Al Cross (he/him)

Kaiwhakahaere Matua Taiao | General Manager, Environment Management

Greater Wellington Te Pane Matua Taiao

DDI: [027 201 3571](tel:0272013571)

[100 Cuba Street, Te Aro, Wellington 6011](#)

From: [REDACTED]
Sent: Thursday, July 28, 2022 5:46:05 AM
To: Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: Re: Kawakahia Community Group

Al, thanks very much for taking the time to talk with me yesterday evening ... and for listening ... it was much appreciated.

I'm pleased to say that I covered off most of the ground I'd hoped to during the session, and that the overall experience was both constructive and encouraging.

I look forward to the outcome of further discussions between GWRC, KCDC and ourselves ... and one of my takeaways from last night, was this can be traversed in days and weeks, rather than in months ... and that a level of middle ground can not only be sought, but achieved ... and in time to make a difference.

Speak to you later.

[REDACTED]

> On 27/07/2022, at 1:58 PM, Alistair Cross <Alistair.Cross@gw.govt.nz> wrote:

>

> Kia ora [REDACTED]

>

> Nice to hear from you, and sorry I couldn't respond until now.

>

> I'm still waylaid by back-to-back meetings today.

>

> Can I call you sometime after 4.30 today?

>

> Ngā mihi

>

> Al

>
>
> Al Cross (he/him)
> Kaiwhakahaere Matua Taiao | General Manager, Environment Management
> Greater Wellington Te Pane Matua Taiao
> DDI: 027 201 3571
> 100 Cuba Street, Te Aro, Wellington 6011
> Follow us online: Facebook | Twitter | gw.govt.nz

> -----Original Message-----

> From: [REDACTED]
> Sent: Tuesday, 26 July 2022 11:21 am
> To: Alistair Cross <Alistair.Cross@gw.govt.nz>
> Subject: Kawakahia Community Group
> Importance: High

> Alistair, my name is [REDACTED], and I represent the Kawakahia Community Group in Peka Peka and Northern Waikanae.

> I'm keen to have an initial telephone call to introduce myself to you, and cover off a situation we have in our area affecting 60+ households, which we're trying to resolve.

> During the last period we've been dealing directly with KCDC about this, and while we've made some progress, they've suggested I contact you to describe the situation, and any assistance you can provide in bringing it to a full resolution.

> Can you please provide date or time we can have that call, or contact me directly on [REDACTED]

> Speak to you later.

> [REDACTED]
> ATTENTION: This correspondence is confidential and intended for the named recipient(s) only. If you are not the named recipient and receive this correspondence in error, you must not copy, distribute or take any action in reliance on it and you should delete it from your system and notify the sender immediately. Unless otherwise stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

From: [Nick Pearson](#)
To: [Jude Chittock](#)
Subject: FW: KCDC Wetland
Date: Friday, 29 July 2022 3:45:00 pm
Attachments: [FW Ngarara stream as per our conversation on Thursday.msg](#)
[RE A Reversal ... and a Disaster in the Making.msg](#)
[image001.png](#)



Nick Pearson

Kaitohutohu / Senior Resource Advisor, Environmental Regulation

Greater Wellington Te Pane Matua Taiao

DDI: 04 830 4345

100 Cuba Street, Wellington | PO Box 11646, Manners St, Wellington 6142

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From: Nick Pearson
Sent: Thursday, 28 July 2022 9:22 am
To: Anna McLellan <Anna.McLellan@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>
Subject: KCDC Wetland

Hey Anna,

See attached, might want to link in with Jude here as she has been dealing with it as well!

Nick

From: [Graeme Campbell](#)
To: [Shaun Andrewartha](#); [Jacky Cox](#)
Subject: FW: Ngarara stream, as per our conversation on Thursday
Date: Wednesday, 20 July 2022 1:40:40 pm
Attachments: [image001.png](#)

Hi Shaun

Are you able to provide any clarity on where this is at and now we can assist? I am assuming KCDC should have applied for a resource consent to maintain highly modified water courses by 30 June 2022 as Jacky's team has done. The question might then be what if they haven't and could they use our consent?

Cheers



Graeme Campbell

Manager, Flood Protection

Greater Wellington Te Pane Matua Taiao

M: 0274 300 375

T: 04 830 4062

100 Cuba St,

P O Box 11646, Wellington 6142

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, 19 July 2022 10:52 am
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Subject: Ngarara stream, as per our conversation on Thursday

Kia ora Graeme.

Here's a thread on the Ngarara stream as per our discussion.

Thanks Penny

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Tuesday, July 19, 2022 10:50:32 AM
To: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi

I met with Graham Campbell on Thursday.

He is going to look in to it, and particularly from the approach of it being included in the global consent that we are working on with KCDC, he thought it was part of that.

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From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Sunday, July 17, 2022 1:18:42 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Hi Penny,

It would be great if you could please provide me with an update on how any meetings and other discussions/activities went last week to progress removing the weed from the Ngarara Stream ASAP, in terms of the email below.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>
Sent: Wednesday, July 13, 2022 9:52 AM
To: Penny Gaylor <penny.gaylor@gw.govt.nz>
Subject: Fw: A Reversal ... and a Disaster in the Making

Hi Penny,

I just wanted to keep you in the loop with what is happening. Below is the latest email that has gone to KCDC.

Someone called Nick Pearson

Nick Pearson
Kaitohutohu / Senior Resource Advisor, Environmental Regulation
Greater Wellington Te Pane Matua Taiao
DDI: 04 830 4345

has been providing information to Paul Busing about various non-complying activities that need to be met namely:

1. R54 of the Resource Management (NESF) Regulations.

Within the 50 member Peka Peka group, questions have been asked about whether a resource consent was issued to allow the wetland to expand, and that damming, diverting and discharging water within 100 m of a wetland stated in R54(c) (because of a lack of maintenance) is a non-complying activity which has caused all these problems in the first instance but has been overlooked.

2. The other rule that Nick quoted is Rule R110 of the proposed Natural Resourced Plan. I can't find any draft of it and from what I can see this plan is not operational because it's going through an appeal process, so I don't understand how this can be referred to. From what I can see it's the regional plan that is the operational plan. Is this correct? Within it there are sections that are highly relevant to the situation in Peka Peka namely:

<https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/>, <https://archive.gw.govt.nz/regional-freshwater-plan-regional-rules/> and <https://archive.gw.govt.nz/floodplain-management-planning/>.

It seems to me that so far this is being driven from an office desk in Wellington rather than looking at the situation on the ground and finding a way through this quagmire. Hopefully though, you can work your way through this by talking to others in GW who will take a pragmatic and practical approach to solving the problem in the very near future.

I look forward to hearing from you at the end of the week, and how you have got on talking to Graham Winterburn and Graham Campbell and maybe others.

Kind regards
Jocelyn

Jocelyn Prvanov
Waikanae Ward Councillor
Environmental Wellbeing Portfolio

Kāpiti Coast District Council
Tel 04 296 4700
Mobile 021 111 0825
www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Tuesday, July 12, 2022 4:30 PM
To: [REDACTED]
Cc: Disna Pathirage <Disna.Pathirage@kapiticoast.govt.nz>; Paul Halliday <paul.halliday@kapiticoast.govt.nz>; Sean Mallon <sean.mallon@kapiticoast.govt.nz>; Paul Busing <Paul.Busing@kapiticoast.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Nicole Koch <Nicole.Koch@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>; [REDACTED]; [REDACTED]; Gary Simpson <Gary.Simpson@kapiticoast.govt.nz>
Subject: Re: A Reversal ... and a Disaster in the Making

Disna/Sean, we need to set a date for the meeting with a suitably senior GWRC

representative, given that we're all seeking their pragmatic approval to resume the clearance of the Ngarara Stream - at least from the Black Drain and Ngarara Stream convergence, down to the Waikanae Golf Course.

The urgency of this continues to be of critical importance to peoples' livelihoods, health and safety, and mental wellbeing.

I've just received an E-Mail from Paul Busing, where he's forwarded the latest response from GWRC, regarding their position, and the fact they can't meet with us this week.

Of the date options Paul mentions, the week beginning 28 July is far too late, and we really need it to happen as early as possible in the week beginning 18 July. I understand that Jocelyn is going to be away at conference later that week, so ideally we need to organise the session on Monday or Tuesday (18th or 19th July).

As you know, their representative needs to be senior enough to quickly authorise stream-clearance even if it means retrospectively issuing a consent, if one is in fact needed ... and also familiar enough with this part of their portfolio, that they understand the big picture, and that a middle ground is both being sought, and is possible.

The stated requirement for a GWRC resource consent being necessary, is in direct contrast to that provided by [REDACTED] when he met with us on 1 July at the Pharazyn Reserve. He stated that no resource consent was required from GWRC, when vegetation only was to be removed from the Ngarara Stream in the vicinity of the wetland area.

An apparent paradox in respect of this stuff, is that a resource consent is required to extend a wetland because of any unplanned negative effects. It is my understanding that no resource consent or consents have been issued to permit the wetland areas to the north and south of the Pharazyn Reserve to be extended. Could you confirm if this is correct please ?

As I understand it, you are keen to identify a suitable window for the resumption and completion of this work. This must be completed by the end of August, if we are not to be stopped in our tracks by the season of fish migration and spawning.

Assuming 16 days is required to complete the work (based on the Goodmans estimate), that work must commence no later than 10 August.

We are keen to know what KCDC staff are doing as background work to expedite this process, and whether our group can help in any way.

For your further information, please be aware that we met with the party who raised some concerns about the nature of the clearance recently completed to the drain adjacent to the Black Swamp.

While they had concerns about how some of that vegetation was removed, they are in full agreement that the balance of the Ngarara Stream clearance should go ahead ... and quickly.

They also reaffirmed our view that any undue delay will see further inundation and damage

south of the Pharazyn Ponds, should the pond's banks be overwhelmed by the remaining Winter and Spring rain events. An outcome which is highly likely.

Although the Black Drain has recently been cleaned out, water levels near Peka Peka Road have risen by 4 cm. If you work out the area of just that inundated land alone, that is a massive amount of water.

Please get back to us as soon as possible, and we will make ourselves available to meet with the GWRC folks - whether at your office, or (more desirably) on one of the affected properties.

Speak to you later.

■

PS

As discussed on Friday, Jocelyn is keeping Penny Taylor abreast of these matters, and seeking her help for further contact within GWRC, as appropriate.

On 9/07/2022, at 7:49 AM, ■ wrote:

Yesterday, we attended a meeting with the Stormwater team at the Council offices, fully expecting it to be collegiate in nature, and looking forward to completion of critical drain clearance work, which had been described in writing only two days previously.

Instead, we were left bereft in the office vacated by the team, as we saw the promised deliveries from only 48 hours earlier, go up in smoke.

I now have to reverse the positive message I was able to provide to our Kawakahia Community Group members in that same timeframe, who've been with us in the journey of the last several months.

I have to explain why they now have to endure repeated flood events through the upcoming Winter and Spring months, with absolutely no assurances that anything further will be done to avoid further disasters to the their properties - and their way of life.

I have to explain why a course of action which would mitigate, and potentially reverse extensive and financially damaging flooding of their properties, is no longer happening in the next few weeks (as promised) ... and is at best now not going to happen for the best part of six months (!), and potentially ruled out entirely !

Mayor Guru, you asked in a previous E-Mail, that we keep you informed of progress. Well here it is. Nothing.

In our area of interest, and sitting on top of multiple properties in Peka Peka, is a vast body of water ... which at a conservative estimate is **450,000 cubic metres** (or **450million litres**) in size.

This was caused when drainage in the area was reversed (due to lack of maintenance for over 25 years), and basically backfilled into that area.

During the December rain event of last year, that water level was even higher, and was lapping into the Pharazyn ponds.

If drainage efficiency is not recovered immediately - which is imminently possible based on earlier feedback from your Stormwater team, other significant weather events in the coming months will cause the water body to expand again.

It will reach new tipping points, and inundate other areas spared so far.

Effectively, the water will move the only way it can. South down the inland channel to engulf the Waikanae Golf Course, and further South to affect roads and properties in Waikanae.

And let's not forget that flooding encountered by residents and ratepayers to date, has submerged multiple septic tank installations. These are not the newer sealed units, but ones where (now) untreated effluent has entered and continues to spread throughout the surface water affecting the region in question.

These critical health and safety concerns are compounded for those those residents who have animals on the property - domestic and grazing, and by virtually every member of our 60+ households who have suffered land damage, plus plant and mature tree kill-off, costing many thousands of dollars to remove and/or replace them throughout the settlement.

Your team has indicated that the halt in the clearance activities is caused by eco-related constraints applied by the Greater Wellington Regional Council.

We and your team believe, that a middle ground can be found here, which reverses the flooding, yet does not damage the eco aspirations of council(s) and residents alike.

After a lengthy discussion during the meeting on Friday, we repeated our previous offer (from March) to host representatives from KCDC and GWRC on on some of the properties lying under the inland water mass.

In fact we insisted that your Council arrange an urgent meeting with a suitably authorised and informed member of GWRC, who has the ability to see the bigger picture here, and agree to progress a sensible route forward.

We look forward to an invitation to a combined Kawakahia, KCDC, and GWRC session next week, to get this done.

Speak to you later.



(On behalf of the Kawakahia Community Group)

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PROACTIVE RELEASE



From: Penny Gaylor
Sent: Saturday, 30 July 2022 7:55 pm
To: Daran Ponter – Chair; Graeme Campbell; Alistair Cross
Cc: Nigel Corry; Amanda Cox
Subject: Re: Paetawa Flood

PROACTIVE RELEASE





Al, Graeme, and I are dealing with this.
We all know the situation.
I was there with the residents on Friday getting a tour.
I'd love a chance for an update on my intel.
Code Name - the Kapiti Lakes district.
A staggering amount of water sitting on farmland.
As locals see it, KCDC not cleaned out the Ngarara stream for 25 years ... so now there is a huge problem.
Kcdc working the consents application.
Lodging soon.
Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north uslabd gas line under water - dire.
Driveways and lawns at Peka peka permanently under water. Shocking.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 7:45:11 PM
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] <[REDACTED]>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger <[REDACTED]> Mayor
K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel,

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern, I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline, owned by FirstGas, that's routed through this area has some 1 kilometre of its pipe submerged and therefore, I assume, there is a potential danger to this infrastructure. I understand that following appeals from residents my council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QE II National Trust Covenant.

I think it's clear that the situation is a complex one, and the residents are fully cognisant of this, but in taking small bites of this elephant, the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this, I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note, I have taken the liberty to alert Mr Jim Bolger, the Chair of our Coastal Advisory Panel looking at coastal adaptation, on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front, where the residents are is much lower gradient. Effectively, they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross, the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state, and whether any 'clearance' would affect the Stream and wetland. It's useful to note that the government's Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dovetailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakataukī...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards,

Mayor Guru

K Gurunathan JP MA

Mayor
Koromatua

Kāpiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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From: [Alistair Cross](#)
To: [Graeme Cam](#), [ell](#)
Subject: RE: Paetawa Flood
Date: Monday, 1 August 2022, 10:01:00 am
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.png](#)

Great – thanks Graeme.

Confirms my understanding as well

Al

From: Graeme Campbell <Graeme.Campbell@gw.govt.nz>
Sent: Monday, 1 August 2022, 9:59 am
To: Alistair Cross <Alistair.Cross@gw.govt.nz>; Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

Notes added below. I have also added the plans from the watercourses agreement with GW in blue and KCDC in yellow

Cheers



Graeme Campbell
Manager, Flood Protection
Greater Wellington Te Pane Matua Taiao
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P O Box 11646 Wellington 6142
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From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022, 8:45 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Subject: RE: Paetawa Flood

I pushed send before final check.

Please use THIS version instead

Al

From: Alistair Cross <Alistair.Cross@gw.govt.nz>
Sent: Monday, 1 August 2022, 8:40 am
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Cc: Jude Chittock <Jude.Chittock@gw.govt.nz>; Shaun Andrewartha <Shaun.Andrewartha@gw.govt.nz>; Joshua Knowles <Joshua.Knowles@gw.govt.nz>
Subject: RE: Paetawa Flood

Kia ora koutou

See attached.

Both Penny and I have linked with the chair of the residents group last week.

I've also connected with Sean Mallon (KCDC Infrastructure Services GM) – our respective teams have begun to work this through.

A few key points in summary

- **Context** Highly complex situation. Stream clogged with veg and running through wetlands. Wetlands concerned are scheduled in the PNRP (ecological values and mana whenua significance) and covered by national regs. Navigating this is fairly tricky but not impossible. On the advice of Shaun and his team I firmly believe there is a way through it.
- **KCDC approach** KCDC is planning for both emergency works and possible longer term regular maintenance works.
- **Emergency works** I've discussed with Sean. KCDC are enabled to undertake emergency works as a network utility provider. This will be their decision to take but I did advise Sean to seek advice to make sure their approach is safe and sound legally. Limited works therefore could probably be undertaken in the short term but unlikely to cover the full KCDC/residents gamut of interest / opportunity. Retrospective consenting (following actual emergency works) also quite possible and if this does come to pass my team would work positively and constructively with KCDC to work this through.
- **Consenting time-frames** Retrospective consenting and particularly longer term global maintenance consenting will likely take months rather than weeks to work through.
- **GWRC operational interests** Flood Protection interests downstream on the Waimeha Stream. GWRC primarily undertake the maintenance work on the Waimeha Stream at the mouth (coastal section) and then the Waimeha stream above the confluence with the Ngarara Stream. The area that are of concern at this stage are those bits on the Ngarara Stream above the confluence with the Waimeha.
- **Next regulatory steps** Alongside emergency works considerations. Sits with Sean Mallon and his team to draw up a set of possible options to bring to our team; possibly followed by a conversation with residents.

Happy to support action to respond to the Mayor.

Al



Al Cross (he/him)
Kaiwhakahaere Matua Taiao | General Manager Environment Management
Greater Wellington Te Pane Matua Taiao
DDI: 027 201 3571
100 Cuba Street Te Aro Wellington 6011
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From: Nigel Corry <Nigel.Corry@gw.govt.nz>
Sent: Sunday, 31 July 2022, 12:17 pm
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: RE: Paetawa Flood

Thanks for the info below Penny. Daran one of us will have to acknowledge the email from Guru; do you want me to or would you rather Chair to Mayor?

And just to note in case you weren't aware [REDACTED] the barrister who Guru has engaged pro bono is the same lawyer who is representing [REDACTED] in the [REDACTED] case.

Nige

From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>

Sent: Saturday 30 July 2022 10 44 pm
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday July 30 2022 10 37 01 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Can we clear the work as "emergency"?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday July 30 2022 7 55 01 PM
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Al, Graeme, and I are dealing with this.
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Driveways and lawbs at Peka peka permanently under water. Shocking.

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To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday July 29 2022 7 06 25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] <[REDACTED]>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Pryanov <jocelyn.pryanov@kapiticoast.govt.nz>; Jim Bolger <jim.bolger@kapiticoast.govt.nz>; Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

Namesti & Kia Ora Daran and Nigel

I'm writing this as a matter of urgency to bring to your attention the plight of just over 60 residents living along Waikanae's Paetawa Rd in proximity to the Pharazyn Ponds, the Te Harakeke Wetlands and the Ngarara Stream. Having read their concerns and completed a site visit on 19th July I am concerned for their health and safety as well as the potential impact on their property values. While this is my immediate concern I am also looking at this as a back-to-the-future type case where this problem of rising groundwater levels today is a harbinger of what's going to rapidly unfold soon to our communities because of climate change.

In going back to the immediate concerns I'm particularly aware that a number of these lifestyle properties are dependent on on-site septic tanks under stress from rising groundwater levels thus increasing health risk. I'm also aware that a gas pipeline owned by FirstGas that's routed through this area has some 1 kilometre of its pipe submerged and therefore I assume there is a potential danger to this infrastructure. I understand that following appeals from residents my council had initiated contracting work to resume our stormwater maintenance obligations associated with the Ngarara Stream. But this had come to an abrupt stop given GWRC's responsibilities under its Natural Resources Plan and its associated need to secure a consent with a caveat that even if an application is made there is no guarantee a consent would be granted. I further understand that the area of concern includes the Te Harakeke Wetlands with its significance underpinned by a QEII National Trust Covenant.

I think it's clear that the situation is a complex one and the residents are fully cognisant of this but in taking small bites of this elephant the immediate danger to the residents needs to be addressed and my council can invoke its powers under emergency requirements to take immediate remedial actions and applying for a retrospective consent for the works. But I also understand the reluctance of my staff to invoke this when there is a possibility that in doing so a retrospective consent may be rejected leaving council in an invidious position. I'm not aware of such a situation to have the benefits of a case study. Given this I have taken the unusual step of securing the pro bono advisory services of barrister [REDACTED] to help the local residents navigate through this complexity. I am grateful to [REDACTED] for his perception that what we are witnessing unravelling here is the precursor of potential legal challenges caused by the impact of climate change on coastal communities. I refer you to the observations made by [REDACTED] QC in a paper to a Local Government NZ conference "Who's afraid of creative judges?" where he warns that a policy gap in managing climate change impacts will result in expensive legal challenges in court and resulting in the defacto outcomes where the courts end up making climate change policies via case law. We know this is already happening.

On that note I have taken the liberty to alert Mr Jim Bolger the Chair of our Coastal Advisory Panel looking at coastal adaptation on what is happening to this coastal community along Paetawa Rd. Consultants providing expert evidence to this panel have noted that the coastal beach front along this stretch is accreting. My understanding is that the land beyond the beach front where the residents are is much lower gradient. Effectively they are hemmed-in and with increasing rain events and an unmanaged stormwater outlet they are in increasing danger to their health and properties.

Given the importance and value of the wetlands I had taken the liberty of seeking the advice of Mr Rob Cross the Kapiti-Wellington officer for the QEII National Trust. He noted that he needs to secure the permission of his national office first but was kind enough to offer an initial guidance noting the complexity and the need for an ecological assessment on the flow of the Stream and its effects on the ecology of the wetland including its hydrology and whether changes affect its return to the natural state and whether any "clearance" would affect the Stream and wetland. It's useful to note that the governments Climate Change Adaptation Plan includes a template on risk assessment providing for the balance between a range of values including economic and environmental values but the experts providing technical evidence and advice to the panel chaired by Mr Bolger's are unlikely to present this compendium of measured risks in time to help our current problem. Mr Cross' observations also means additional time lapse. I'm bringing this to your attention to alert you to the wider issues dove-tailing into this immediate and justified concerns of the Paetawa Rd residents.

In my culture we have what Māori term a whakatauki...a proverb. "How do you fit an elephant into a pot?" We need the urgent clearance for KCDC to do the immediate work necessary and the ability to seek a retrospective consent through a process that recognises the climate change adaptation issues. It's also important for all parties involved in this case to work collaboratively and be seen publicly to be doing that to educate our communities on the challenges we face from climate changes and the way to secure community solutions. And not having to go through legal challenges. I appreciate your officers have started their communications directly with the residents and I look forward to your response.

Regards

Mayor Guru

K Gurunathan JP MA
Mayor
Koromatua

Kapiti Coast District
Tel 04 2964 757

www.kapiticoast.govt.nz



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PROACTIVE RELEASE

From: Penny Gaylor
Sent: Saturday, 30 July 2022 10:44 pm
To: Daran Ponter – Chair; Graeme Campbell; Alistair Cross
Cc: Nigel Corry; Amanda Cox
Subject: Re: Paetawa Flood

Yes that's what we're working on as an immediate solution.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 10:37:01 PM
To: Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood

Can we clear the work as “emergency”?

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From: Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Sent: Saturday, July 30, 2022 7:55:01 PM
To: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>; Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>
Subject: Re: Paetawa Flood





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We all know the situation.
I was there with the residents on Friday getting a tour.
I'd love a chance for an update on my intel.
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Kcdc working the consents application.
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Gwrc need to approve asap so work can be done before spawning season in Sept.

Here's a pic from Friday:

Pics show north slabbed gas line under water - dire.
Driveways and lawns at Peka peka permanently under water. Shocking.

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From: Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Sent: Saturday, July 30, 2022 7:45:11 PM
To: Graeme Campbell <Graeme.Campbell@gw.govt.nz>; Alistair Cross <Alistair.Cross@gw.govt.nz>
Cc: Nigel Corry <Nigel.Corry@gw.govt.nz>; Amanda Cox <Amanda.Cox@gw.govt.nz>; Penny Gaylor <Penny.Gaylor@gw.govt.nz>
Subject: Fwd: Paetawa Flood

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED] Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED]
Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Subject: Paetawa Flood

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Kāpiti Coast District
Tel 04 2964 757



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PROACTIVE RELEASE

From: [Daran Ponter – Chair](#)
To: [Graeme Campbell](#); [Alistair Cross](#)
Cc: [Nigel Corry](#); [Amanda Cox](#); [Penny Gaylor](#)
Subject: Fwd: Paetawa Flood
Date: Saturday, 30 July 2022 7:45:14 pm
Attachments: [image001.png](#)

Response?

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From: Jessica Mackman <Jessica.Mackman@kapiticoast.govt.nz> on behalf of Mayor K Gurunathan <k.gurunathan@kapiticoast.govt.nz>
Sent: Friday, July 29, 2022 7:06:25 PM
To: Nigel Corry <Nigel.Corry@gw.govt.nz>; Daran Ponter – Chair <Daran.Ponter@gw.govt.nz>
Cc: [REDACTED]
Penny Gaylor <Penny.Gaylor@gw.govt.nz>; Councillor Jocelyn Prvanov <Jocelyn.Prvanov@kapiticoast.govt.nz>; Jim Bolger [REDACTED]
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