

Joint Witness Statement

Proposed Natural Resources Plan for the Wellington Region (2015)

Topic: Response to Panel Question – Rule R160

Date: 12 June 2018

Witnesses:

Name	For
Paul Denton, Senior Policy Advisor, Greater Wellington Regional Council	Greater Wellington Regional Council
Pauline Whitney, Senior Planner: Principal, Boffa Miskell Limited	Transpower New Zealand Limited

Environment Court practice note:

It is confirmed that all witnesses:

- Have read the Environment Court Practice Note 2014 Code of Conduct and agreed to abide by it.

And in particular:

- Have read the Environment Court Practice Note 2014 Code of Conduct Appendix 3 – Protocols for Expert Witness Conferencing and agreed to abide by it.

1. Panel Direction

1. On 6 June 2018, during questioning by the Panel to Ms Pauline Whitney, the expert planning witness of Transpower MZ Ltd, and Ms Dhilum Nightingale, Legal Counsel for Transpower NZ Ltd, discussion occurred as to the wording within Rule R160 as notified in the PNRP and sought to be amended in the hearing evidence of Ms Whitney.
2. Ms Whitney and Ms Nightingale offered to further review the rule.
3. The Panel directed that the review also involves the council Section 42A Officer, Mr Paul Denton.

2. Response

4. Ms Whitney and Mr Denton have reviewed the Rule R160 and suggest the Rule be redrafted or reformatted as follows.
5. The main changes involve the insertion of reference to the rule being specific to the National Grid, reference to the adjacent foreshore (as there is a difference between where the Cable Protection Zone ends on Map 52 and the jurisdiction of the PNRP - MHWS), that reference is made to Rule R197, and the rule be reformatted.
6. The changes are consistent with the relief sought in the evidence of Ms Whitney and in the Transpower NZ Ltd submission.
7. Further assessment of this recommended change to Rule R160 will be in the s32AA assessment in Mr Denton's Right of Reply.
8. The remaining amendments sought in the evidence of Ms Whitney are not addressed as part of this joint witness statement, and remain outstanding.

[Tracked changed version]

Rule R160: New structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone and adjacent foreshore, and inside a mana whenua sites of significance – discretionary activity 

A new structure and the associated use of the structure and disturbance associated with **motor vehicles** in the coastal marine area:

(i) specific to the National Grid, and

(ii) related to the Cook Strait Cable within inside the Cook Strait Cable Protection Zone shown on Map 52, and adjacent foreshore, and

(iii) inside a site of significance identified in Schedule C (mana whenua), and

including any associated:

- (a) occupation of the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted controlled by Rule R1957, is a discretionary activity.

[Clean version]

Rule R160: New structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone and adjacent foreshore, and inside a mana whenua site of significance – discretionary activity 

A new structure and the associated use of the structure and disturbance associated with **motor vehicles** in the coastal marine area:

- (i) specific to the **National Grid**, and
- (ii) inside the Cook Strait Cable Protection Zone shown on Map 52, and adjacent foreshore, and
- (iii) inside a site of significance identified in Schedule C (mana whenua), and

including any associated:

- (a) occupation of the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R197, is a discretionary activity.

Name	Date	Signed
Paul Denton	12 June 2018	
Pauline Whitney	12 June 2018	