

**IN THE MATTER** of the Resource Management Act  
1991

**AND**

**IN THE MATTER** of the Proposed Natural Resources  
Plan for the Wellington Region

**MINUTE # 45**

**MINUTE IN RELATION TO SCOPE OF SUBMISSIONS IN RELATION TO THE WAIWHETU AQUIFER  
GROUNDWATER AND SURFACE WATER PROTECTION AREAS**

**Hearing Stream 6**

1. A submission point from Wellington Water Limited (WWL S135/211), sought an alteration to *PNRP Map 27b: Groundwater Community Drinking Water Supply Protection Areas – Hutt Valley (incorporates Schedule M2)*. The specific relief sought is in two parts;
  - a) *extend the Lower Hutt Groundwater Protection Zone to cover the Hutt catchment upstream of the infiltration zone. Delete Hutt Park Wells and insert Gear Island Wells;*
  - b) *extend the Groundwater Supply Protection Area to include all the valley floor to the foreshore of Wellington Harbour.*
2. At the hearing, a witness for WWL, Mr G Williams, produced a map indicating the spatial extent to the north and south in respect of the extension sought to the water supply protection area for the Waiwhetu Aquifer.
3. It was unclear to the Panel whether the spatial extent of the groundwater protection zone shown on a map produced at the hearing was an obvious outcome of the narrative description of the relief sought in the submission notice. In other words, the Panel considered that there may be an issue of scope as to the relief now being sought.
4. Following discussions with the parties at the hearing, it was agreed that there are two issues to be addressed:
  - a) Firstly, whether there is a legal issue as to scope; and
  - b) secondly, what are the technical and planning issues associated with the extended protection areas and the potential impact on the provisions of the proposed Plan.
5. In terms of the first issue, we hereby request that Mr Slyfield, Counsel for WWL, prepare submissions regarding the issue of scope. As part of this exercise, it is requested that Mr Slyfield identify whether there are any other submissions or further submissions that would give rise to other parties being involved in this exercise. Those legal submissions are to be

sent to Ms Moore (Hearings Advisor) by 5pm on Thursday, 14 June 2018 and then distributed to the parties.

6. Ms Anderson, Counsel for Wellington Regional Council, is to then prepare submissions regarding the issue of scope. Those submissions are to be sent to Ms Moore (Hearings Advisor) by 5pm on Tuesday, 19 June 2018 and then distributed to the parties.
7. Initially the Panel was of a mind to delay the technical and planning conferencing until the legal submissions regarding scope had been determined. However, the parties agreed that the technical and planning conferencing could proceed independent of the scope issue. Accordingly, we request that the technical conferencing proceed and be sent to Ms Moore by 5pm on Friday, 22 June 2018 and following this, the planning experts to respond by 5pm on Friday, 6 July 2018.



Mark St. Clair

**Panel Chair**

Date: 11 June 2018