
under: the Resource Management Act 1991

in the matter of: the Greater Wellington Regional Council Proposed
Natural Resources Plan for the Wellington Region

and in the matter of: Hearing Panel Minute 5

Joint Response to the Hearing Panel Minute 5 on behalf of the
New Zealand Transport Agency and Wellington Water Limited

Dated: 14 June 2017

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GREATER WELLINGTON PROPOSED NATURAL RESOURCES PLAN

JOINT RESPONSE TO THE HEARING PANEL MINUTE 5 ON BEHALF OF THE NEW ZEALAND TRANSPORT AGENCY AND WELLINGTON WATER LIMITED

Introduction

- 1 The purpose of this memorandum is to respond to the Greater Wellington Proposed Natural Resources Plan (*Proposed Plan*) Hearing Panel's Minute 5 dated 9 June (*Minute 5*), and further direction issued by email on 14 June (*Further Direction*). This is a joint response on behalf of the New Zealand Transport Agency and Wellington Water Limited (*Transport Agency and WWL*).
- 2 Specifically, this memorandum confirms:
 - 2.1 The parties to be involved in the infrastructure providers' conferencing;
 - 2.2 The proposed process for the conferencing; and
 - 2.3 The matters that it is intended will be the subject of the conferencing.

Conferencing Parties

The Infrastructure Group

- 3 The Transport Agency and WWL confirm that the following parties, collectively known as the "Infrastructure Group" have indicated they will participate in the conferencing:
 - 3.1 The Transport Agency;
 - 3.2 Wellington Water Limited;
 - 3.3 Spark New Zealand Trading Limited;
 - 3.4 Chorus New Zealand Limited;
 - 3.5 First Gas Limited;
 - 3.6 Kiwi Rail Holdings Limited;
 - 3.7 CentrePort Limited;
 - 3.8 Wellington International Airport;
 - 3.9 Hutt City Council;
 - 3.10 Wellington Electricity Lines Limited;
 - 3.11 Transpower New Zealand Limited;
 - 3.12 Masterton District Council;
 - 3.13 South Wairarapa District Council;

- 3.14 Powerco Limited;
- 3.15 Carterton District Council;
- 3.16 Porirua City Council;
- 3.17 Wellington City Council;
- 3.18 Meridian Energy;
- 3.19 New Zealand Defence Force;
- 3.20 GBC Winstone;
- 3.21 Kapiti Coast Airport Holdings Limited.

Additional Parties

- 4 The Further Direction advises that a number of parties additional to the Infrastructure Group have expressed interest in being involved in the conferencing.¹
- 5 The Transport Agency and WWL acknowledge that the additional parties noted in the Further Direction have an interest in the matters for conferencing.
- 6 However, the Transport Agency and WWL's understanding of Minute 5 is that the Panel saw benefit in the infrastructure providers undertaking conferencing. This benefit derives from the areas of common interest between the infrastructure providers, and the potential for those parties to reach alignment in certain areas. Widening the conferencing participants to include the additional parties noted in the Further Direction would lessen the potential for alignment. In the Transport Agency and WWL's view, involving broader interest groups would change the nature of the conferencing to a mediation.
- 7 The Transport Agency is willing to facilitate conferencing provided it is limited to the Infrastructure Group.
- 8 The Transport Agency and WWL note that the commitment of the parties in the Infrastructure Group was made on the understanding that conferencing would be with other infrastructure providers. If additional parties are involved, the infrastructure providers may no longer wish to commit to conferencing, particularly due to efficiency implications.

Conferencing Process

- 9 The parties in the Infrastructure Group have agreed that the Transport Agency will take on the role of coordinating and facilitating the conferencing.
- 10 For the avoidance of doubt, the Transport Agency is willing to take on this role provided the conferencing is limited to the Infrastructure Group. Should the

¹ Namely: Forest and Bird, Fish and Game, Federated Farmers, Rangitane o Wairarapa, Horticulture New Zealand Limited and the Minister for Conservation.

Panel wish to extend the involvement beyond the Infrastructure Group, the Transport Agency would need to reconsider its position.

- 11 The Transport Agency has engaged Nicky McIndoe, of Kensington Swan, to act as an independent facilitator for the Infrastructure Group conferencing.
- 12 The Infrastructure Group will endeavour to reach agreement where possible through the conferencing process.
- 13 To ensure that the other interested parties have an opportunity to be involved in the process, the Infrastructure Group's agreed position or positions (assuming agreement is able to be reached) could be provided to the other interested parties for their consideration and comment.

Matters for conferencing

Hearing stream one

- 14 Given the constrained timeframe available, the Infrastructure Group understands that the conferencing is to focus on the definition of RSI (including the Strategic Transport Network component) and Policy 4, and any consequential changes.
- 15 However, if the Panel is of a mind to defer the s42A Officers' Right of Reply so as to give the Infrastructure Providers more time to engage in the conferencing (as indicated in Minute 5), then the group may be interested in adding additional stream one provisions to the matters for discussion, subject of course to the Panel's direction.

Future hearing streams

- 16 The Infrastructure Group considers that there may be benefit in undertaking further conferencing in relation to future hearing streams. The provisions to be the subject of future conferencing, and the level of involvement of the various members of the Infrastructure Group in relation to this conferencing would need to be determined on a case by case basis.
- 17 The Transport Agency is willing to continue in the role of facilitator and coordinator in relation to such conferencing, provided that it is limited to the Infrastructure Group.
- 18 To this end, if the Commissioners identify any areas where they consider conferencing would be useful, please advise the Transport Agency and WWL at an early stage.

Dated: 14 June 2017

The New Zealand Transport Agency and Wellington Water Limited