

BEFORE THE INDEPENDENT HEARING PANEL AND FRESHWATER HEARING
PANEL OF GREATER WELLINGTON REGIONAL COUNCIL

IN THE MATTER OF of the Resource Management Act 1991

AND

IN THE MATTER OF of Proposed Plan Change 1 to the Greater Wellington
Natural Resources Plan

**STATEMENT OF EVIDENCE BY KIRSTY O’SULLIVAN ON BEHALF OF
WELLINGTON INTERNATIONAL AIRPORT LIMITED**

14 MARCH 2025

Hearing Stream 2

1. INTRODUCTION

QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Kirsty O’Sullivan. I am a Partner at Mitchell Daysh Limited, which practices as a planning and environmental consultancy firm throughout New Zealand. I have been working for Mitchell Daysh Limited since May 2013 and have held the position of Partner since 2024.
- 1.2 I hold a degree in Physical Geography and Geographic Information Systems from the University of Otago, and a postgraduate (Masters with Distinction) degree in Planning from the University of Otago. I am based in the firm’s Dunedin office although my work has a national focus.
- 1.3 I have over 15 years' experience in environmental resource planning and management consultancy. My professional experience includes a mix of central government, local authority, and consultancy resource management work. Over the past 12 years, I have focused on providing consultancy advice with respect to regional and district plans, plan changes, resource consents, designations, and environment effects assessments. While I have experience providing resource planning and management advice to a broad range of clients, ranging from nationally significant infrastructure projects to smaller scale, individual residential developments, of particular relevance to this hearing is my experience with respect to the following projects / roles:
- 1.3.1 For the past ten years I have assisted Wellington International Airport Limited (“**WIAL**”) with a range of projects including:
- i. co-authoring the Wellington International Airport Runway Extension resource consent applications and the Wellington International Airport Notice of Requirement for a new aerodrome designation over part of the southern part of Miramar Golf Course;

- ii. co-authoring the Wellington International Airport Noise Management Plan;
- iii. assisting the preparation of submissions, further submissions and evidence on the Proposed Wellington District Plan Review; original submission and further submission;
- iv. project managing and co-ordinating the preparation of various approvals under the Resource Management Act 1991 (“RMA” or “the Act”) for various site specific developments at the Wellington International Airport (“**Airport**”); and,
- v. providing planning advice regarding the ongoing maintenance and repair of the southern and western sea walls surrounding Wellington International Airport.

1.3.2 For the past seven years, I have assisted Hawke's Bay Airport Limited regarding the Napier City Council District Plan Review and various resource consenting matters.

1.3.3 For the past 12 years, I have been the principal consultant planning advisor for Invercargill Airport Limited with respect to resource consenting, designation, plan change, District Plan and Regional Policy Statement matters at Invercargill Airport;

1.3.4 For the past two years, I have been assisting Christchurch International Airport Limited with a range of planning matters, from submissions through to strategic planning.

1.3.5 From 2013 until early 2023, I was the principal consultant planning advisor for the Queenstown Airport Corporation with respect to resource consenting, designations, plan changes and District Plan and Regional Policy Statement and Plan matters at Queenstown and Wanaka Airports.

CODE OF CONDUCT

- 1.4 While this is not an Environment Court hearing, I nonetheless confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I agree to comply with the Code and I am satisfied that the matters which I address in my evidence are within my field of expertise. I am not aware of any material facts that I have omitted which might alter or detract from the opinions I express in my evidence.

2. SCOPE OF EVIDENCE

- 2.1 This statement of evidence relates to Hearing Stream 2 of Plan Change 1 of the Greater Wellington Regional Council Natural Resources Plan (“**PC1**”).
- 2.2 In this brief of evidence, I will:
- 2.2.1 Provide a brief overview of the planning context for Wellington Airport, including the key relevant provisions of the national and regional policy statements that are relevant to the provisions being heard as part of Hearing Stream 2;
 - 2.2.2 Provide an overview of WIAL’s submissions, as relevant to Hearing Stream 2;
 - 2.2.3 Consider the interaction between the National Policy Statement for Freshwater Management (“**NPSFM**”) and the New Zealand Coastal Policy Statement (“**NZCPS**”) and how it relates to coastal water and the Coastal Marine Area (“**CMA**”); and,
 - 2.2.4 Discuss the section 42A Reporting Officer’s (“**the Reporting Officer**”) recommendations with respect to the following topics / provisions:
 - 2.2.5 The long term environmental objective (WH.O1);
 - 2.2.6 The targets for freshwater to be achieved by 2040 (WH.O2);
 - 2.2.7 The targets for coastal waters to be achieved by 2040 (WH.O3);

- 2.2.8 The proposed ecological health and water quality policies (WH.P1 and WH.P2);
 - 2.2.9 The application of Objective O2 of the Operative NRP; and
 - 2.2.10 The interpretation of ‘river’ under PC1 as it relates to the Airport Site.
- 2.3 I note that I do not address every submission point raised in WIAL’s submission or further submission in relating to Hearing Stream 2 matters. My evidence instead focuses on those key matters which will have the greatest bearing on WIAL’s existing and future operations and therefore warrant further discussion. An absence of discussion with respect to a particular submission point should not be taken as agreement (tacit or otherwise) with the recommendations set out in the section 42A evaluation.
- 2.4 In preparing this statement of evidence, I confirm that I have read the following documents:
- 2.4.1 WIAL’s submission and further submission;
 - 2.4.2 PC1 as notified and insofar is relevant to WIAL’s submission and further submission;
 - 2.4.3 The Hearing Stream 2 reports prepared under section 42A of the Resource Management Act 1991 (“the s42A reports”) for: Objectives (“the Objectives s42A Report”); and Ecosystem Health and Water Quality policies (“the Policies s42A Report”).
 - 2.4.4 The statement evidence of Ms J Lester (14 March 2025);
 - 2.4.5 WIAL’s site wide stormwater discharge consent and associated stormwater management plan; and,
 - 2.4.6 The Section 32 Evaluation Report relating to PC1 (“**the s32 Report**”).

3. WELLINGTON AIRPORT – PLANNING CONTEXT

- 3.1 WIAL operates the regionally and nationally significant Airport. Ms Lester, the Planning Manager at WIAL, has provided some background context about WIAL and its important role in supporting the social, economic and cultural wellbeing of the city, region and country.
- 3.2 WIAL is a network utility operator and a requiring authority under section 166 of the Resource Management Act 1991 (“**the RMA**” or “**the Act**”).
- 3.3 Wellington Airport comprises nationally and regionally significant infrastructure (“**RSI**”) as defined by the Operative Regional Policy Statement for the Wellington Region 2013 (“**Operative RPS**”),¹ the Decisions version of Proposed Plan Change 1 and Variation 1 to the Regional Policy Statement for the Wellington Region (“**Decisions version RPS**”),² and the National Policy Statement for Urban Development (“**NPSUD**”).³
- 3.4 Wellington Airport also comprises ‘specified infrastructure’ as defined by the NPSFM and the National Policy Statement for Indigenous Biodiversity 2024 (“**NPSIB**”).
- 3.5 Under the operative Greater Wellington Natural Resource Plan (“**NRP**”):
- 3.5.1 Lyall Bay, located to the south and west of the Airport, and Evans Bay, located to the north of the Airport, are within the Ngā Taonga Nui a Kiwa⁴ overlay. Associated provisions within the Operative NRP recognise and provide for mana whenua relationships with these spiritually and culturally important waterbodies and coastal areas.

¹ Being listed under the definition of ‘Regionally significant infrastructure’.

² Being listed under the definition of ‘Regionally significant infrastructure’.

³ Being an airport that regularly services aeroplanes capable of carrying more than 30 passengers.

⁴ Chapter 2.2 of the Operative NRP defines Ngā Taonga Nui a Kiwa as “*Those large freshwater and coastal entities from which mana whenua derive cultural and spiritual identity, their status as mana whenua and the associated responsibilities that come with that including those of kaitiaki. These places are the larger rivers and harbours that have a long history of multiple and complex resource use associated with large populations. Ngā Taonga Nui a Kiwa emphasises the importance of mana whenua relationships with rivers, lakes, harbours and estuaries.*”

- 3.5.2 The “Wellington Airport Height Restriction Area” is mapped over the Airport and surrounds, protecting the airspace from permanent and temporary objects or structures that may pose a risk to aircraft safety;
- 3.5.3 There are no mapped “Schedule F ecosystems and habitats with significant indigenous biodiversity values” immediately adjacent to the Airport;
- 3.6 Under the PC1:
- 3.6.1 A series of so-called “rivers” are shown to be mapped over the Airport;⁵
- 3.6.2 The airport is located within the Wellington Urban Freshwater Management Unit and part of Whaitua Te Whanganui-a Tara;⁶
- 3.6.3 Evans Bay, located to the north of the Airport, is within the Te Whanganui-a-Tara Coastal Management Unit.⁷ Lyall Bay, west of the Airport, is within the Wai Tai Coastal Management Unit;⁸
- 3.6.4 The Airport’s land holdings are all located within “Planned / Existing Urban Areas”;⁹ and,
- 3.6.5 Areas surrounding the Airport, where significant assets critical to the protection and functioning of the Airport or the future development and expansion of the Airport, are located within surrounding “Unplanned Greenfield Areas”.¹⁰
- 3.7 At a District Council level, the Airport is the subject of a number of designations under the Operative and Proposed Wellington City Plans that provide for and protect the Airport, including:

⁵ Map 79.

⁶ Map 79.

⁷ Map 83.

⁸ Map 83.

⁹ Map 87.

¹⁰ Map 87.

- 3.7.1 A designation to protect the airspace in the vicinity of the Airport;
 - 3.7.2 An Airport Purposes designation over the former Miramar School site;
 - 3.7.3 An Airport Purposes designation over the main Airport site; and,
 - 3.7.4 An Airport Purposes designation over the southern portion of the Miramar Golf Club site.
- 3.8 The Airport is also zoned for Airport Purposes under the Operative and Proposed Wellington District Plans, with the Proposed Wellington District Plan also containing a number of airport specific provisions that apply outside of the Airport Zone, in recognition of the assets and infrastructure located outside of the primary Airport zone and to protect the airport from reverse sensitivity effects.

REGIONAL CONSENTS HELD BY WIAL

- 3.9 WIAL holds a number of regional council consents. While for the most part these relate to project specific consents, of particular note to PC1 hearings is WIAL's site wide stormwater discharge permit.
- 3.10 Granted in March 2023, the site wide land use and stormwater discharge permit provides for operational stormwater discharges from the range of activities undertaken at the Airport site, including construction and earthwork activities, as well as 45 hectares of the adjacent Strathmore Park residential area.
- 3.11 As shown in **Figure 1** below, WIAL's operational stormwater discharges are directly to the CMA, with two small areas (Catchments 2 and 3 in the figure) discharging to the public network prior to discharging to the CMA.
- 3.12 The discharge permit includes a site wide, comprehensive stormwater management plan ("**SMP**"). The overall objective of the SMP is to minimise the adverse effects from stormwater discharges and for the discharge quality from WIAL's stormwater assets to progressively improve over time. The SMP sets out

several actions that will be taken to achieve this outcome, including (but not limited to):

- 3.12.1 The various approaches WIAL and its contractors will undertake to minimise actual and potential adverse effects of stormwater discharges;
 - 3.12.2 Interim triggers (during baseline monitoring) and contingency actions to be implemented in the event triggers are met or exceeded;
 - 3.12.3 WIAL's monitoring requirements, and notification and reporting requirements if adverse monitoring results are found;
 - 3.12.4 Mechanisms for review of the SMP if redevelopment or changes to activities on site change the risk profile of discharges from the site; and
 - 3.12.5 Feedback and information sharing mechanisms with key stakeholders Wellington Water Limited and mana whenua.
- 3.13 Based on the monitoring that has occurred to date, the discharges are within the acceptable ranges identified in the consent. Furthermore, it appears, based on the revisions to Table 8.1 and the proposed new Table 8.1A (both discussed later in Section 9), that the receiving water of WIAL's stormwater discharges are already within the target parameters set for the coastal management units.



Figure 1: High level overview of the WIAL Stormwater Management Network.

4. RELEVANT NATIONAL AND REGIONAL POLICY

- 4.1 As the Panel will be aware, section 67 of the RMA states that a regional plan must give effect to, among other things, any NPS, the NZCPS, and any RPS.
- 4.2 The following paragraphs set out the key relevant provisions of the NZCPS, NPSFM, NPSUD, and RPS, insofar as they relate to WIAL's submission on PC1.

NEW ZEALAND COASTAL POLICY STATEMENT

- 4.3 The NZCPS is the key national policy statement under the RMA relating to the management of the coastal environment in New Zealand. While not addressing freshwater management, the NZCPS is relevant to this hearing as it provides policy guidance regarding a range of matters, including the use of the coast and discharges to it.
- 4.4 The key outcomes sought by the NZCPS, as relevant to this hearing stream, includes (my paraphrasing and emphasis):

4.4.1 **Objective 1** seeks to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems by:

- Maintaining coastal water quality, and enhancing it where discharges associated with human activity have deteriorated its natural condition and caused significant adverse effects on ecology and habitat.

4.4.2 **Objective 2** aims to preserve the natural character of the coastal environment through:

- Identifying areas where various forms of subdivisions, use and development would be inappropriate and protecting them from such activities, and;
- encouraging restoration of the coastal environment.

4.4.3 **Objective 3** seeks to take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment.

4.4.4 **Objective 6** seeks to enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that, among other matters:

- the protection of coastal values does not preclude use and development in appropriate places and forms, and within appropriate limits;
- the use of natural and physical resources is necessary to meet the social, economic and cultural wellbeing of people and communities; and,
- some activities have a functional need to be located in the coastal marine area.

4.5 It is clear from these objectives that there is a recognition of the presence and importance of appropriate infrastructure within the coastal environment particularly with the specific reference to a “functional need”, which will more often than not relate to infrastructure.

4.6 Several policies also recognise the presence and importance of infrastructure in the coastal environment as well as the protection of the natural environment. For example (my paraphrasing):

4.6.1 **Policy 1** acknowledges that the extent and characteristics of the coastal environment has been modified by physical resources and built facilities, including infrastructure.

4.6.2 **Policy 4** provides for integrated management, requiring collaboration with bodies and agencies with responsibilities and functions relevant to

resource management and particular consideration of situations where land use activities may affect water quality.

4.6.3 **Policy 6** recognises that the provision of infrastructure is important to the social, economic and cultural well-being of people and communities, and that development will need to be enabled to provide for the reasonably foreseeable needs of population growth.

4.6.4 **Policy 14** promotes restoration or rehabilitation of the natural character of the coastal environment;

4.6.5 **Policy 21** seeks to ensure that where water quality in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats or water based recreation activities or is restricting its use, priority is given to improving water quality in such areas.

4.6.6 **Policy 23(4)** requires steps to be taken when discharge stormwater to the coastal environment, by reducing contaminant and sediment loadings and the source, promoting integrated management of catchments and networks.

4.7 In my view, the policy directives of the NZCPS are a relevant consideration for this hearing as a broader policy lens needs to be applied when managing activities in the CMA compared to other relevant NPS (such the NPSFM), that have a narrower focus or lens.

NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020

4.8 The NPSFM sets out the objectives and policies for freshwater management under the RMA. Importantly, the NPSFM only applies to the wider coastal marine area to the extent it is affected by freshwater.¹¹

¹¹ Clause 1.5 Application sub clause (1) NPSFM.

4.9 The NPSFM includes requirements that seek to provide for the management of freshwater resources in accordance with Te Mana o te Wai, and to facilitate (as relevant to this hearing) a greater focus on:

4.9.1 Prioritising the health and wellbeing of waterbodies;¹²

4.9.2 Improving degraded water bodies; and,

4.9.3 Involving tangata whenua in the management of freshwater.¹³

4.10 The overall objective of the NPSFM is to ensure that natural and physical resources are managed in a way that prioritises:

4.10.1 First, the health and well-being of water bodies and freshwater ecosystems;

4.10.2 Second, the health needs of people (such as drinking water); and,

4.10.3 Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

4.11 Policy 15 requires that communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with the NPSFM.

4.12 While the above provisions are all relevant to this hearing stream, it is important to remain cognisant of the scope and application of the NPSFM to coastal waters and the CMA. That is, care needs to be taken to ensure the policy directives of the prescriptive NPSFM are not conflated with the more broadly framed NZCPS directives.

NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

4.13 The NPSUD recognises the national significance of:

¹² Under the RMA, a water body means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

¹³ Under the RMA, freshwater or fresh water means all water except coastal water and geothermal water.

- 4.13.1 Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future; and
- 4.13.2 Providing sufficient development capacity to meet the different needs of people and communities.
- 4.14 The NPSUD recognises airports such as Wellington Airport as nationally significant infrastructure, and identifies that such infrastructure has operational and functional requirements that may impact the ability of other urban development outcomes to be achieved.¹⁴

RPS FOR THE WELLINGTON REGION

- 4.15 The Regional Policy Statement for the Wellington region (“**RPS**”) was made operative on 24 April 2013 (“**the Operative RPS**”).
- 4.16 Plan Change 1 and Variation 1 to the Wellington RPS was publicly notified in August 2022. The Greater Wellington Regional Council notified its decisions on Plan Change 1 and Variation 1 to the RPS in October 2024 (**Decisions version RPS**). 13 appeals have been filed in the Environment Court.¹⁵
- 4.17 As the Decisions version of the RPS remains subject to appeal, it is not yet operative and the two versions need to be read alongside each other.
- 4.18 Insofar as relevant to this hearing, three of the key provisions of the RPS that the PC1 needs to give effect to includes Objective 10 and Policy 7. Objective 10 has not been modified by Plan Change 1 and Variation 1 to the RPS, and is shown in full below. The relevant excerpt of Policy 7, as modified by the Decisions version of the RPS is also provided below.

Objective 10: *The social, economic, cultural, and environmental, benefits of regionally significant infrastructure are recognised and protected.*

¹⁴ As a qualifying matter under clause 3.32.

¹⁵ Excluding one appeal which has been withdrawn.

Policy 7: District and regional plans shall include objectives, policies, rules and/or other methods that recognise:

- (a) recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure including:
- (i) people and goods can travel to, from and around the region efficiently and safely and in ways that support the transition to low or zero-carbon multi-modal transport modes;
 - (ii) public health and safety is maintained through the provision of essential services: - supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services;
 - (iii) people have access to energy, and preferably renewable energy, so as to meet their needs; and
 - (iv) people have access to telecommunication services; and...

4.19 The Decisions version of the RPS also inserts additional objectives which recognise and support RSI and other activities that provide for the economic and social well-being of Wellington’s communities:

4.19.1 Integrated Management Objective A requires that the integrated management of the region’s natural and physical resources recognises the role of both natural and physical resources, including regionally significant infrastructure, in providing for well-functioning urban and rural areas.

4.19.2 Objective 12 seeks that the mana of the Region’s waterbodies and freshwater ecosystems is restored and protected by ongoing management of land and water that supports the reasonable, sustainable and efficient use of water for activities that benefit the Region’s economy.

4.20 The Decisions version of the RPS also includes a long term freshwater vision for the Te Whanganu-a-Tara (Objective TWT), which aims for wai ora¹⁶ to be

¹⁶ Which is not defined in the Decisions version of the RPS.

achieved and fresh and coastal waters are healthy, accessible and sustainable for future generations.

- 4.21 With regard to water quality, Objective 6 of the Operative RPS seeks to maintain or enhance coastal water quality. Objective 12 of the Operative RPS seeks to ensure the quality and quantity of freshwater meets the range of values and uses for which it is required, safeguards the life supporting capacity of water bodies, and meets the reasonably foreseeable needs of future generations. Objective 12 as amended by Decisions version of the RPS seeks that the mana of waterbodies and freshwater ecosystems is restored and protected and applies the hierarchy of obligations set out under the NPSFM, while supporting the reasonable, sustainable and efficient use of water for activities that benefit the region's economy.¹⁷
- 4.22 Policy 40, which gives effect to both Objective 6 and Objective 12, is amended by the Decisions version of the RPS to set out matters the regional council must have regard to when considering regional resource consent applications, including the maintenance and, where degraded, protection and enhancement of the health and well-being of coastal waterbodies and the health and wellbeing of marine ecosystems. Other amendments to Policy 40 insert additional considerations that primarily serve to give effect to the NPSFM.

5. OVERVIEW OF WIAL SUBMISSION ON PC1 OBJECTIVES AND ECOSYSTEM HEALTH AND WATER QUALITY POLICIES

- 5.1 As an overarching submission point, WIAL raised concerns regarding provisions relating to the CMA and coastal environment. WIAL sought the deletion of any reference to the CMA from those provisions which seek to directly give effect to the NPSFM, on the basis it would result in the management of coastal resources in a way that is inconsistent with the NZCPS and sections of the Operative NRP which are not subject to PC1.

¹⁷ Note this objective does not apply to the coast as it applies to freshwater and waterbodies, but which exclude coastal waters.

- 5.2 WIAL also opposed, in part, three new objectives and two new policies regarding the target state of Whaitua Te Whanganui-a-Tara:
- 5.2.1 Objective WH.O1 which seeks that the health of all freshwater bodies and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100. An advice note describes the wai ora state.
 - 5.2.2 Objective WH.O2 which seeks that the health and wellbeing of Te Whanganui-a-Tara's groundwater, rivers and natural wetlands and their margins are on a trajectory of measurable improvement towards wai ora. Sub-clauses describe the desired state of various indicators of freshwater health to be achieved by 2040.
 - 5.2.3 Objective WH.O3 which seeks that the health and wellbeing of coastal water quality, ecosystems and habitats in Te Whanganui-a-Tara is maintained or improved, to achieve the coastal water objectives set out in Table 8.1. Sub-clauses describe the desired state of various indicators of the health of coastal waters to be achieved by 2040.
 - 5.2.4 Policy WH.P1 which sets out how aquatic ecosystem health will be improved.
 - 5.2.5 Policy WH.P2 which sets out how activities will be managed to achieve target attribute states and coastal water objectives.
- 5.3 WIAL supported proposed Table 8.1 and sought that the water objectives contained in this table be retained as notified.
- 5.4 WIAL also made further submissions opposing submissions which sought the inclusion of a new interim objective with a time period of 2030. While supporting the intent of submissions to give effect to the NPSFM, WIAL considers it imperative that all elements of the NPSFM are appropriately recognised, including the specific policy approach for specified infrastructure.
- 5.5 Most of these submission points are addressed in the following sections.

6. PROVISIONS RELATING TO THE CMA

- 6.1 WIAL raised concerns regarding provisions relating to the CMA and coastal environment. WIAL sought the deletion of any reference to the CMA from those provisions which seek to directly give effect to the NPSFM, on the basis it would result in the management of coastal resources in a way that is inconsistent with the NZCPS and sections of the Operative NRP which are not subject to PC1.
- 6.2 The Reporting Officer recommends rejecting the submission on the basis that the WIAL submission did not identify provisions of concern.¹⁸
- 6.3 Having reviewed the section 32 evaluation, in my view, the analysis of the proposed new coastal related PC1 provisions against the NZCPS policy directives was completed at a fairly high level.¹⁹ I therefore understand WIAL's concerns about the conflation of policy outcomes between the NZCPS and the NPSFM.
- 6.4 Having reviewed each objective and policy of PC1 against the NZCPS, and having compared and contrasted the objective and policy directives against one another, I consider the overall intent of PC1 generally aligns with the overall outcomes sought by the NZCPS. However, I consider there are instances where this not the case and these are discussed in the following sections.

7. LONG TERM ENVIRONMENTAL OBJECTIVE - WH.O1

- 7.1 As notified, Objective WH.O1 seeks that the health of all freshwater bodies and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100. An advice note describes the wai ora state.
- 7.2 WIAL's opposed the objective in part, citing:

¹⁸ Objectives s42A Report, para 100.

¹⁹ Section 32 Evaluation, section 3.1.4.

- 7.2.1 It supports the general intent of the proposed objective, however achieving “wai ora”, as expressed in the objective, cannot practicably be achieved at the Airport due to its operational and functional requirements;
 - 7.2.2 The higher order planning documents (such as the NPSFM) provide a path for specified infrastructure to undertake activities within freshwater bodies in accordance with the effects management hierarchy;
 - 7.2.3 The requirement for the objective to be wai ora by 2100 should be qualified rather than absolute; and,
 - 7.2.4 The extent to which the objective should apply to sites containing RSI should be further considered, as should whether such an objective is appropriate where it is also necessary to utilise natural and physical resources to meet the economic and social needs of Wellington’s communities.
- 7.3 The Reporting Officer has recommended a number of amendments to WH.O1 in response to submissions by WIAL and others. As is relevant to WIAL’s submission, the Reporting Officer:
- 7.3.1 Recommends that the reference to “Note” be deleted so the explanation of the wai ora state is part of the objective.²⁰
 - 7.3.2 Recommends clarifying that the long term “vision” objective does not apply to individual resource consent applications. In doing so however, the Reporting Officer notes that it may be a useful guide to future plan responses.²¹

²⁰ Objectives s42A Report, para 152.

²¹ Objectives s42A Report, paras 120 and 148.

- 7.3.3 Recommends that reference to the wai ora state āhua (natural character) is qualified such that it should only be necessary for achieving wai ora where it is degraded.²²
- 7.3.4 A qualification is placed on the wai ora reference to rivers, and lakes margins being planted “where applicable”,²³ noting that there is no statutory direction for planted margins everywhere in the whitua.
- 7.3.5 Recommends that an additional bullet is inserted to ensure that the long-term objective recognises the second and third priorities contained within Te Mana o te Wai in the NPSFM, and aligns with Objective TWT of the Decisions version of the RPS.²⁴

7.4 Accordingly, the Reporting Officer recommends WH.O1 is amended as follows:

Objective WH.O1

The health of ~~all freshwater bodies rivers and lakes and their margins, natural wetlands, groundwater~~ and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100.

Note

In the wai ora state:

- > *Āhua (natural character) ~~where deteriorated~~ is restored and freshwater bodies exhibit their natural quality, rhythms, range of flows, form, hydrology and character*
- > *All ~~freshwater bodies rivers and lakes~~ have planted margins, where applicable*
- > *All ~~freshwater bodies rivers and lakes and their margins, natural wetlands, groundwater~~ and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species*

²² Objectives s42A Report, para 153.

²³ Objectives s42A Report, para 154.

²⁴ Objectives s42A Report, para 156.

- > *Mahinga kai and kaimoana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga*
- > *Mana whenua are able to undertake customary practices at a range of places throughout the catchment.*
- > *Water is able to be used for social and economic use benefits, provided that the health and wellbeing of waterbodies, freshwater ecosystems and coastal waters is not compromised.*

Note: Objectives WH.O2 to WH.O9 set out what is needed to achieve progressive implementation of this long-term objective up to 2040. Therefore, resource consent applicants do not need to demonstrate their proposed activities align with this objective.

7.5 In my experience, when promulgating planning provisions, careful interpretation of objectives and policies is important. Shades of meaning matter, particularly when provisions are attempting to reconcile important competing considerations.

7.6 While I understand and agree with the Reporting Officer that WH.O1 is a long term ‘vision’ objective for all fresh and coastal water in the Te Whanganui-a-Tara,²⁵ I do not consider that the various amendments, including the addition of the “note” regarding consideration of resource consents, address the matters set out in WIAL’s submission, particularly with respect to natural character and the creation of habitat for At-risk and Threatened species.

NATURAL CHARACTER

7.7 With respect to first bullet point regarding natural character, when you break the objective down to its component parts, it broadly requires that the health of the CMA is progressively improved and āhua (natural character) is restored, where deteriorated. In my view, this would likely capture artificial and highly

²⁵ Objectives s42A Report, para 144.

modified coastlines, which are far removed (and thus deteriorated) from their natural state and character.

- 7.8 In WIAL's situation, for operational reasons, it is not practicable to restore the CMA back to its natural state. As identified by WIAL in its original submission, the environment surrounding the Western and Southern Seawalls located adjacent to the Airport, is highly modified. It comprises a large area of reclaimed land, surrounded by heavily engineered seawalls. These seawalls protect the Airport, and the various public utilities located within Moa Point Road (such as the main sewage line to the Moa Point Sewage Plant) from coastal processes.
- 7.9 As noted by Ms Lester, the Airport is both a significant contributor to the local and regional economy and has a significant role as a lifeline utility. If the objective were to be read in absolute terms and natural character achieved by 2100, this would have significant adverse effects on the operation and functioning of the Airport and as a result, significant ramifications for the social and economic wellbeing of the city, region and beyond. This is independent of any effects that could accrue from the loss of utilities within Moa Point Road.
- 7.10 I also note that the NZCPS policy direction with respect to natural character is to "promote" restoration and rehabilitation. It is not an absolute requirement, as the wai ora state objective currently reads.
- 7.11 While very few freshwater bodies exist within or adjacent to the Airport, requiring the restoration of such features where natural character is deteriorated also presents some practical difficulties for WIAL. As set out by Ms Lester, there are strict biosecurity requirements within 400m of international processing facilities meaning that the creation and enhancement of waterbodies that may provide mosquito/larval habitats must be avoided. The presence of standing waterbodies also increases the risk of bird strike, if the waterbodies are not appropriately designed (including any associated planting). Bird strike risk is a matter for which all Airports are required to manage under Civil Aviation Regulations.

- 7.12 While I acknowledge (and support) the Reporting Officer’s recommendation to clarify that the objective does not apply to resource consents, I note (as does the Reporting Officer) that the objective may inform future plan changes.²⁶ If an objective anticipates that wai ora will be achieved by 2100, in my view it sends a strong signal that future plan changes will have to work towards this outcome. While I acknowledge that Objectives 9 and 10 of the NRP (which are not part of PC1) recognise and enable RSI, and Policies such as P41 (relating to the Wellington Airport South Coast) and P146 (relating to seawalls) generally anticipate the ongoing presence of the seawalls, it is not clear how these competing interests would be resolved in future plan making exercises.
- 7.13 For the reasons identified above, complete restoration of the natural character by 2100 is not practicable in the Wellington Airport context. Based on a review of the NZCPS, there does not appear to be any requirement for such an outcome to be achieved insofar as it relates to the coastal marine area, nor does it appear to have been a priority value identified in the Whaitua Implementation Programme.²⁷ I therefore question the appropriateness of including natural character in this objective.
- 7.14 In addition, I anticipate that Clause 3.3(2)(b) of the NPSFM has influenced the inclusion of longer term, visionary objective in PC1. I note however that this directive requires regional councils to develop long-term visions for freshwater that are “*ambitious but reasonable (that is, difficult to achieve but not impossible)*”. Given this direction, and also given that its current application extends beyond freshwater management, any restoration of natural character must be qualified to ensure it does not establish an “impossible” long term outcome.

AT RISK AND THREATENED SPECIES

- 7.15 With respect to the requirement set by the third bullet point, while well intentioned, it appears to potentially set an outcome that may not be

²⁶ Objectives s42A Report, para 120.

²⁷ Objectives s42A Report, Appendix 6.

practically achievable. That is, it requires all freshwater bodies and coastal waters to provide habitat that supports for At-risk, Threatened and taonga species. This appears to apply uniformly, without regard for whether those species may naturally occur within those environments. In my view, the addition of the words “where naturally present” would address this concern.

PROPOSED NEW NOTE

- 7.16 With respect to the proposed new note recommended by the Reporting Officer, I support its intent and agree with the Reporting Officer that it would be difficult (and inappropriate) for this to be demonstrated at a resource consent level.
- 7.17 I consider however, that the recommended “note” requires further amendment to also exclude Notices of Requirement for the same reasons as the Reporting Officer recommends excluding resource consent applications.²⁸ Given designations are a land use control contained within district plans, requiring the assessment of a Notice of Requirement against WH.O1 would also be an inappropriate test to apply.

SOCIAL AND ECONOMIC BENEFITS

- 7.18 The Reporting Officer is recommending including a new bullet point to the wai ora description which draws into consideration the social and economic benefits to be derived from the use of water. I understand the Reporting Officer’s rationale for this change is to ensure recognition of the second and third priorities of Te Mana o Te Wai and Objective TWT of the Decisions version of the RPS.²⁹ While I support this inclusion, providing express reference to RSI would also serve to address some of WIAL’s concerns around the lack of recognition of the role of infrastructure in PC1. It would also address WIAL’s concerns that PC1 is largely applying the NPSFM directives over those set out in the NZCPS, such as Policy 6 which recognises the importance of

²⁸ Objectives s42A Report, paras 120 and 148.

²⁹ Objectives s42A Report, para 156.

infrastructure to the social, economic and cultural wellbeing of people and communities (in the wider context of the coastal environment).

RECOMMENDED CHANGES TO WH.O1

7.19 In light of the above, I recommend amending bullets one and three of WH.O1 and the Note as follows (additions shown in blue underline and deletions shown in ~~blue strikethrough~~):

- > *~~Āhua (natural character) where deteriorated~~ is restored and freshwater bodies exhibit their natural quality, rhythms, range of flows, form, hydrology and character to the extent practicable.*
- > *~~All freshwater bodies~~ Rivers and lakes and their margins, natural wetlands, groundwater and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species where naturally present in those environments.*
- > *Water is able to be used for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and wellbeing of the waterbodies, freshwater ecosystems and coastal waters is not compromised.*

Note: Objectives WH.O2 to WH.O9 set out what is needed to achieve progressive implementation of this long-term objective up to 2040. Therefore, resource consents and Notice of Requirements ~~applicants~~ do not need to demonstrate their proposed activities align with this objective.

7.20 Attached as **Appendix A** is a copy of the recommended amendments to the provisions referred to in this statement, as well as an associated s32AA evaluation.

8. FRESHWATER OBJECTIVE - WH.O2

8.1 As notified, Objective WH.O2 seeks that the health and wellbeing of all Te Whanganui-a-Tara's groundwater, rivers, natural wetlands and their margins

are on a trajectory of measurable improvement towards wai ora, with a range of outcomes sought by 2040.

8.2 WIAL opposed the objective in part, citing reasons similar to those under WH.O1. Additionally, WIAL submitted that the objective should clarify that the reference to the health and wellbeing of Te Whanganui-a-Tara is at a broad, regional level, thus recognising that there may be localised effects arising as a result of some activities, such as specified infrastructure, undertaking activities in rivers and wetlands.

8.3 The Reporting Officer largely recommends rejecting WIAL’s submissions regarding WH.O2 on the basis that: ³⁰

8.3.1 The objectives do not set an absolute achievement of wai ora and are not highly directive for consent applicants;

8.3.2 WH.O2 is seeking progress in the right direction and in some cases there is the option of maintenance or improvement; and

8.3.3 There would be “plenty of opportunity to achieve maintenance or improvement” for a large established site like WIAL’s.

8.4 The Reporting Officer recommended amendments to WH.O2 are shown below:

The health and wellbeing of Te Whanganui-a-Tara’s groundwater, rivers and natural wetlands and their margins are on a trajectory of measurable improvement towards wai ora, such that by 2040:

(a) *Water quality, habitats, aquatic life, water quantity and ecological processes are at a level where the state of aquatic life ecosystem health is maintained, or meaningful progress has been made towards improvement where degraded in accordance with WH.09, and*

(b) *natural form and character is maintained, or where degraded, improvement has been made to the hydrology of rivers, and erosion processes, including bank stability, are improved and sources of sediment are reduced to a more*

³⁰ Objectives s42A Report, paras 179.

- ~~natural level, and the extent and condition of indigenous riparian vegetation is increased and improved, supporting ecosystem health, and the extent and condition of indigenous riparian vegetation is increased and improved, and~~
- (c) ~~the extent and condition of indigenous riparian vegetation is increased and~~
- (d) the diversity, abundance, composition, structure and condition of mahinga kai species and communities are increased, and
- (e) ~~huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and~~
- (f) mana whenua can more safely connect with freshwater and enjoy a wider range of customary and cultural practices, including mahinga kai gathering, and
- (g) mana whenua and communities can more safely connect with freshwater and enjoy a wider range of activities, including swimming and fishing, kayaking and rafting food gathering, and
- (h) freshwater of a suitable quality is available for the health needs of people, and
- (i) people and communities can provide for social and economic use benefits, provided that the health and well-being of waterbodies and ecosystems is not compromised.

8.5 I agree with the Reporting Officer that WH.O2 is less directive and generally seeks to achieve a trajectory of improvement, rather than an absolute direction. Furthermore, given the broad direction, the objective is more geared towards achieving a Whaitua or catchment wide improvement, such that resource consents will need to generally demonstrate that they are not precluding the overall outcome from being achieved. Coupled with any amendments to the description of “wai ora state”, as set out with respect to WH.O1 above, many of WIAL’s submissions with respect to this policy have been addressed.

8.6 While the Reporting Officer’s recommended addition of subclause (i) goes some way to addressing some of the concerns raised in WIAL’s submissions regarding the provision for RSI, in my view the more express reference to RSI within this limb would better address this matter. Similar to the amendment

proposed for WH.O1, I therefore recommend that limb (i) be amended as follows:

(i) people and communities can provide for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and well-being of waterbodies and ecosystems is not compromised.

9. COASTAL WATER OBJECTIVE - WH.O3 AND TABLES 8.1 AND 8.1A

OBJECTIVE WH.O3

- 9.1 As notified, Objective WH.O3 seeks that the health and wellbeing of coastal water quality, ecosystems and habitats in Te Whanganui-a-Tara is maintained or improved, to achieve the coastal water objectives set out in Table 8.1. Sub-clauses describe the desired state of various indicators of the health of coastal waters to be achieved by 2040.
- 9.2 WIAL opposed the objective in part, primarily citing concerns around potential health and safety implications of providing access to the coast and clarification around the chapeau of the policy.
- 9.3 The Reporting officer recommends adopting WIAL's suggested wording amendments to the chapeau of WH.O3 to improve clarity of the objective. I support the recommendation of the Reporting Officer for the reasons set out in the s42A Report.³¹
- 9.4 With regard to subclauses (g) and (h) of WH.O3, which relate to access to the coast, the Reporting Officer clarifies that in their view, that this objective should not relate to physical public access enablement, rather the suitability of coastal water and its 'use' by people, and that other provisions of the NRP relate to public access to the coastal marine area.³² In addition, in relation to other submissions on PC1, the Reporting Officer considers (g) and (h) to be

³¹ Objectives s42A Report, paras 221-222.

³² Objectives s42A Report, para 226.

duplicative and has redrafted them as a single clause which refers to the safe 'use' of the coastal marine area, instead of 'connect with'.³³

- 9.5 I note that with respect to WH.O1 and WH.O2, the Reporting Officer recommended the including of new limb to the policy that recognises that people and communities can provide for social and economic use benefits, provided the health and well-being of waterbodies and ecosystems is not compromised. The rationale for this change largely draws of the second and third priorities of Te Mana o Te Wai and Objective TWT of the Decisions version of the RPS.
- 9.6 As noted with respect to WH.O1, express reference to RSI within this new limb would go some way to addressing some of WIAL's concerns with respect to overall lack of recognition of RSI within PC1 and the broader interaction with the NZCPS policy directives. I recommend a similar sub-clause is inserted into WH.O3 as follows (shown in [blue underline](#)):

Objective WH.O3

The health and wellbeing of Coastal water quality, and the health and wellbeing of ecosystems and habitats in Te Whanganui-a-Tara is maintained, or improved where deteriorated, to achieve the coastal water objectives set out in Table 8.1 and 8.1A, and by 2040:

...

(a) people and communities can provide for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and well-being of waterbodies and ecosystems is not compromised.

TABLE 8.1 AND 8.1A

- 9.7 As notified, WH.O3 seeks the achievement of coastal water objective set out in Table 8.1. Table 8.1 identifies targets for a range of parameters to be achieved in each coastal management unit by 2040.

³³ Objectives s42A Report, para 227.

- 9.8 WIAL supported Table 8.1 and sought the coastal water objectives contained within be retained as notified.
- 9.9 In response to submissions by others, the Reporting Officer recommends:
- 9.9.1 Deleting the ‘benthic marine invertebrate diversity’ and ‘phytoplankton’ parameters from Table 8.1 because there is no existing baseline data, they are not currently monitored by the Council, and are only relevant in some situations.³⁴ These are replaced with a narrative target in WH.O3.
- 9.9.2 Removing the Wai Tai (open coast) coastal management unit from Table 8.1 because the majority of parameters in Table 8.1 as notified were not considered helpful.³⁵
- 9.9.3 Removing enterococci from Table 8.1 and creating new Table 8.1A with specific targets at specific locations that reflect established coastal recreational water quality monitoring sites to make the implementation of coastal objectives clearer.³⁶
- 9.9.4 In developing Table 8.1A, the Reporting Officer recommends numeric targets that are suitable for swimming and achievable by 2040.³⁷
- 9.9.5 Inserting current state data to Table 8.1 and new Table 8.1A where available, as the lack of baseline data renders the objectives uncertain and somewhat meaningless.³⁸
- 9.10 In my view, the recommended amendments provide further clarity to plan users around the current state (at 2025) of the various target parameters, and thus whether the maintenance or improvement policy directive within WH.O3 applies.

³⁴ Objectives s42A Report, para 210.

³⁵ Objectives s42A Report, para 210.

³⁶ Objectives s42A Report, paras 208-209.

³⁷ Objectives s42A Report, para 215.

³⁸ Objectives s42A Report, para 219.

9.11 I support the recommended amendments to Table 8.1 and insertion of Table 8.1A.

10. GENERAL ECOLOGICAL HEALTH AND WATER QUALITY WH.P1 AND WH.P2

POLICY WH.P1

10.1 As notified, Policy WH.P1 which sets out how aquatic ecosystem health will be improved.

10.2 WIAL opposed the policy in part, citing reasons similar to those under WH.O1. While generally supporting the intent of the policy to improve aquatic ecosystem health, WIAL considered that the policy as notified did not recognise the operational and functional requirements of significant infrastructure, and therefore the policy may not be practicable to apply to RSI.

10.3 The Reporting Officer recommends rejecting the relief sought by WIAL with regard to WH.P1 because:³⁹

10.3.1 WH.P1 is a high-level scene setting policy and does not specifically direct an 'improve' approach. In response to other submissions, the Reporting officer recommends amendments to WH.P1 to make this more explicit to plan users;⁴⁰

10.3.2 While the NPSFM does not recognise or exempt RSI from the obligations of the NOF process, and other objectives and policies of the NRP regarding regionally significant infrastructure can be considered alongside the PC1 provisions when assessing resource consent applications.

³⁹ Policies s42A Report, para 53.

⁴⁰ Policies s42A Report, para 48.

10.4 I agree that the NPSFM does not exempt RSI from the NOF. However, as set out in Section 4 of this evidence, higher order documents recognise that RSI have unique operational and functional needs, and recognise that RSI use natural and physical resources to provide economic and social benefits for the communities they serve. I therefore consider it appropriate for the provisions of PC1 to also recognise and provide for the unique circumstances surrounding RSI.

10.5 With regard to WH.P1, I support the Officer's recommended amendments to clarify that improvement is only required where aquatic ecosystem health is deteriorated. I agree with the Reporting Officer's rationale that it is not effective to require waterbodies where target attribute states are already met to be improved (as is the case for the coastal water that WIAL discharges to).

POLICY WH.P2

10.6 The Reporting Officer recommends deleting WH.P2 in its entirety, citing that it is unnecessary and provided for by other provisions of PC1 and the Operative NRP. I support this recommendation and agree the policy is unnecessary and duplicates other provisions of PC1 or the NRP.

10.7 I will address other reasons for that support, which relate to the stormwater management and greenfield urban development rules, during a later hearing stream.

11. OBJECTIVE O2

11.1 As notified by PC1, Objective O2 of the NRP was expressly removed from being applicable to Te Whanganui-a-Tara. In response to various submissions, the Reporting Officer has recommended that Objective O2 of the Operative NRP remains applicable to Whaitua te Whanganui-a-Tara and should therefore be reinstated.⁴¹

⁴¹ Hearings Stream 1: Officer's Right of Reply, para 17.

11.2 I support the retention of this Objective and consider its broad drafting has application beyond the management of water. It is therefore appropriate for the Objective to be retained for Whaitua Te Whanganui-a-Tara, and removes the risk of potentially creating a gap in the outcomes sought for the region and the Whaitua if it is removed.

12. GENERAL COMMENTS

12.1 I note that many of the PC1 objectives and policies refer to rivers. It is not clear whether this reference is to rivers generally, as defined by section 2 of the RMA, or to rivers as identified on PC1 maps.

12.2 In the case of the Airport, Map 79 incorrectly identifies rivers over impervious areas of the Airport (refer to Figure 2) which have been historically reclaimed. These areas do not align with any rivers or the Airport's stormwater management system (refer to Figure 1).

12.3 I note that WIAL did not make a submission with respect to this map, however the map is clearly inaccurate. It would be more appropriate in my view, for the "rivers" over the Airport to be removed as a minor amendment and instead, reliance is placed on the RMA definition of a river.



Figure 2: Excerpt of Map 79: Rivers - Te Whanganui-a-Tara showing “rivers” (blue line) in the vicinity of Wellington Airport (source: GWRC Web Map Viewer).

13. CONCLUSION

- 13.1 Wellington Airport comprises regionally and nationally significant infrastructure which plays a critical role in providing for the economic and social wellbeing of the Wellington Region.
- 13.2 The importance of regionally significant infrastructure, and the need to provide for the operational and functional needs of regionally significant infrastructure, is properly recognised through higher order documents, including the NZCPS, NPSFM, NPUD, the Operative RPS and the Decisions version of the RPS.
- 13.3 While I support a number of the Reporting Officer’s recommendations, in my view it is necessary and appropriate that further amendments be made to appropriately recognise RSI, and in particular Wellington Airport with its distinct operational and functional requirements.
- 13.4 With respect to each provision:

WH.O1

13.5 I support the section 42A Report recommendations to:

13.5.1 Insert an additional bullet point to WH.O1 which recognises and enables the use of natural resources for the economic and social benefit of Wellington’s communities.; and

13.5.2 Insert a new “Note” to clarify that the long term “vision” objective does not apply to individual resource consent applications.

13.6 I recommend further amendments to:

13.6.1 Ensure the importance of RSI in providing for the social, economic and cultural well-being of communities is recognised in accordance with higher order documents identified in Section 4 of this evidence;

13.6.2 Ensure the new “Note” does not apply to Notices of Requirement; and

13.6.3 Ensure that the description of wai ora, particularly with regard to the restoration of natural character and creation of habitat for At Risk and Threatened species, is ambitious but reasonable in accordance with Clause 3.22(2)(b) of the NPSFM.

WH.O2

13.7 I recommend further amendments to WH.O2 to ensure the objective recognises and enables RSI, as directed by higher order documents identified in Section 4 of this evidence.

WH.O3

13.8 I support the Reporting Officer’s recommendations to:

13.8.1 Amend the chapeau of WH.O3. In my view, the recommended wording is clearer and more effective;

13.8.2 Amend subclauses (g) and (h) regarding use of the coastal marine area to clarify that these subclauses do not relate to public access; and

13.8.3 Amend Table 8.1 and insert new Table 8.1A. These amendments improve clarity and implementation of the objectives.

13.9 I recommend further amendment is made to WH.O3 to reflect amendments to WH.O2 which ensure the objective recognises and enables regionally significant infrastructure, as directed by higher order documents identified in Section 4 of this evidence.

WH.P1

13.10 I support the recommendation of the Reporting Officer to clarify that improvement is only required where aquatic ecosystem health is deteriorated. I agree that it is not effective to require waterbodies where target attribute states are already met to be improved.

WH.P2

13.11 I support the Reporting Officer's recommendation to delete WH.P2 in full. I agree that the policy is unnecessary and duplicates other provisions of PC1 or the NRP.

OBJECTIVE O2

13.12 I support the recommendation of the Reporting Officer that Objective O2 of the Operative NRP should remain applicable to Whaitua te Whanganui-a-Tara. I consider this appropriate given its broad drafting has application beyond the management of water.

GENERAL COMMENTS

13.13 I also highlight that it is not clear whether 'river' refers to rivers as generally defined by the RMA or as mapped in Map 79. It would be more appropriate in my view, for the "rivers" over the Airport to be removed as this is clearly in error and instead, reliance is placed on the RMA definition of a river.

Kirsty O'Sullivan

14 March 2025

Recommended Ammendments (Tracked Changes) to the text of the Plan Change 1 to the Wellington Natural Resources Plan

The changes are presented in the following ways:

Changes Recommended	Shown
New text recommended to be added to district plan as recommended by s42A report	<u>Red underline</u>
Text that is recommended to be deleted by s42A report	Red strikethrough
New text recommended to be added to district plan as recommended in the planning evidence in chief of K O’Sullivan	<u>Blue underline</u>
Text recommended to be deleted in the planning evidence in chief of K O’Sullivan	Blue strike through

Recommended amendments to provision	S32AA evaluation / comments
<p>Objective WH.O1</p> <p>The health of all freshwater bodies rivers and lakes and their margins, natural wetlands, groundwater and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100.</p> <p>Note</p> <p><u>In the wai ora state:</u></p> <ul style="list-style-type: none"> > Āhua (natural character) where deteriorated is restored and freshwater bodies exhibit their natural quality, <u>rhythms, range of flows, form, hydrology and character to the extent practicable.</u> > All freshwater bodies rivers and lakes have planted margins, <u>where applicable</u> > All freshwater bodies r<u>Rivers and lakes and their margins, natural wetlands, groundwater</u> and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species <u>where naturally present in those environments.</u> 	<p>Recommended further amendments to bullets 1 and 2 of the wai ora state description ensure that the long term objective remains ambitious but reasonable in accordance with Clause 3.3(2)(b) of the NPSFM. Also important for the first bullet point to be qualified given the objective also applies to the CMA, where the overarching policy directive within the NZCPS is to “promote”, rather than require restoration.</p> <p>Recommended further amendments to bullet three ensures recognition of the second and third priorities of Te Mana o Te Wai and Objective TWT of the Decisions version of the RPS. The specific recognition of RSI also aligns with relevant provisions of the Operative RPS and Decisions version RPS which recognise and provide for RSI. Also aligns with the NZCPS policy directives within Policy 6.</p>

Recommended amendments to provision	S32AA evaluation / comments
<p>> <u>Mahinga kai and kaimoana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga</u></p> <p>> <u>Mana whenua are able to undertake customary practices at a range of places throughout the catchment.</u></p> <p>> <u>Water is able to be used for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and wellbeing of the waterbodies, freshwater ecosystems and coastal waters is not compromised.</u></p> <p><u>Note: Objectives WH.O2 to WH.O9 set out what is needed to achieve progressive implementation of this long-term objective up to 2040. Therefore, resource consents and Notice of Requirements applicants do not need to demonstrate their proposed activities align with this objective.</u></p>	<p>Recommended further amendment to the new “Note” is more efficient because they provide greater certainty to plan users, including potential resource consent applicants and Requiring Authorities, about how the objectives are intended to be implemented.</p>
<p>Objective WH.O2</p> <p>The health and wellbeing of Te Whanganui-a-Tara’s groundwater, rivers and natural wetlands and their margins are on a trajectory of <u>measurable</u> improvement towards wai ora, such that by 2040:</p> <p>(a) <u>Water quality, habitats, aquatic life, water quantity and ecological processes are at a level where the state of aquatic life ecosystem health is maintained, or meaningful progress has been made towards improvement where degraded in accordance with WH.09, and</u></p> <p>(b) <u>natural form and character is maintained, or where degraded, improvement has been made to the hydrology of rivers, and erosion processes, including bank stability, are improved and sources of sediment are reduced to a more natural level, and the extent and condition of indigenous riparian vegetation is increased and improved, supporting ecosystem health, and the extent and condition of indigenous riparian vegetation is increased and improved, and</u></p> <p>(c) <u>the extent and condition of indigenous riparian vegetation is increased and improved, and</u></p> <p>(d) <u>the diversity, abundance, composition, structure and condition of mahinga kai species and communities are increased, and</u></p>	<p>Recommended further amendments to WH.O2(i) ensures recognition of the second and third priorities of Te Mana o Te Wai and Objective TWT of the Decisions version of the RPS. The specific recognition of RSI also aligns with relevant provisions of the Operative RPS and Decisions version RPS which recognise and provide for RSI.</p>

Recommended amendments to provision	S32AA evaluation / comments
<p>(e) huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and</p> <p>(f) mana whenua can more safely connect with freshwater and enjoy a wider range of customary and cultural practices, including mahinga kai gathering, and</p> <p>(g) mana whenua and communities can more safely connect with freshwater and enjoy a wider range of activities, including swimming and fishing, kayaking and rafting food gathering, and</p> <p>(h) freshwater of a suitable quality is available for the health needs of people, and</p> <p>(i) people and communities can provide for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and well-being of waterbodies and ecosystems is not compromised</p>	
<p>Objective WH.O3</p> <p>The health and wellbeing of cCoastal water quality, and the health and wellbeing of ecosystems and habitats in Te Whanganui-a-Tara is maintained, or improved where deteriorated, to achieve the coastal water objectives set out in Table 8.1 and 8.1A, and by 2040:</p> <p>(a) sediment inputs into Mākara Estuary are reduced, and</p> <p>(b) high contaminant concentrations, including around discharge points, are reduced, and</p> <p>(c) <u>diversity, abundance, composition, structure and condition of mahinga kai species and communities has increased, and</u></p> <p>(d) <u>huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and</u></p> <p>(e) <u>the extent and condition of estuarine seagrass, saltmarsh and brackish water submerged macrophytes are increased and improved to support abundant and diverse biota, and</u></p>	<p>Recommended insertion of WH.O3(j) ensures recognition of the second and third priorities of Te Mana o Te Wai and Objective TWT of the Decisions version of the RPS. The specific recognition of RSI also generally aligns with relevant provisions of the Operative RPS and Decisions version RPS which recognise and provide for RSI. Further amendments recognise the broader policy directives of the NZCPS Policy 6.</p>

Recommended amendments to provision

S32AA evaluation / comments

- (f) coastal areas support healthy functioning ecosystems, and their water conditions and habitats support the presence, abundance, survival, and recovery of At-risk and Threatened species and taonga species, and
- ~~(g) mana whenua can safely connect with the coastal marine area and enjoy a wider range of customary and cultural practices, including mahinga kai gathering and tauranga waka, and~~
- (h) mana whenua and communities can safely ~~connect with use~~ coastal marine area and enjoy a wider range of activities, including food gathering, ~~and swimming, paddling, Māori customary use and tikanga, and~~
- (i) for coastal areas not covered by Table 8.1, in addition to relevant matters in (a)-(h) above:
- fish and benthic invertebrate communities are resilient and their structure, composition and diversity are maintained, and
 - there is no increase in the frequency of nuisance macroalgal blooms, and
 - phytoplankton levels are maintained and monitored in applicable areas of point source discharges and locations that experience riverine mouth closures with limited water mixing
- (j) people and communities can provide for social and economic use benefits, including by providing for the operational and functional requirements of Regionally Significant Infrastructure, provided that the health and well-being of waterbodies and ecosystems is not compromised.
-