

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

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 1 to the Regional Policy
Statement for the Wellington Region (Hearing Stream 7)

STATEMENT OF EVIDENCE BY CLAIRE HUNTER

28 March 2024

INTRODUCTION

QUALIFICATIONS AND EXPERIENCE

- 1 My full name is Claire Elizabeth Hunter. I have on previous occasions, prepared evidence in front of this Hearings Panel. I, therefore, refer to my qualifications and experience, which are outlined in my evidence prepared for Hearing Stream 2 on Proposed Plan Change 1 to the Regional Policy Statement (**RPS**) for the Wellington Region.

CODE OF CONDUCT STATEMENT

- 2 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.

SCOPE OF EVIDENCE AND DISCUSSION

- 3 This statement of evidence relates to Hearing Stream 7 Definitions (Regionally Significant Infrastructure) for proposed Plan Change 1 (**PC1**) to the Regional Policy Statement for the Wellington Region (**RPS**).
- 4 In this statement of evidence, I will:
 - a. Provide a summary of WIAL's submission on this Hearing Stream;
 - b. Review the section 42A report recommendations on WIAL's submission on the definition of Regionally Significant Infrastructure (**RSI**); and
 - c. Set out WIAL's preferred relief for the definition of RSI.

- 5 WIAL submitted in partial support of the definition of RSI and sought its retention as part of PC1. WIAL further sought that the definition be broadened to include all associated supporting infrastructure associated with Wellington International Airport, such as its navigational infrastructure and the seawall as some specific examples.

- 6 The Section 42A report concurs with WIAL's submission that navigational infrastructure should be included in Wellington International Airport's definition¹. This assertion is based on the broad definition of an airport under section 2 of the Airport Authorities Act 1966, which encompasses buildings, installations, and equipment on or adjacent to any such area utilised in connection with the airport or its administration. In addition, the RMA definition of infrastructure includes navigation installation. However, the report writer disagrees with WIAL's proposal to include reference to the seawall as part of this definition. This is because the seawall is not considered infrastructure but rather a structure that supports the operational integrity of the airport². As explained in Ms Lester's evidence, the seawall was a necessary part of the development and ongoing protection of the airport. In this situation, the seawall, therefore, forms a key piece of the infrastructure necessary to protect the airport. I therefore disagree that excluding it from the broader definition of "Wellington International Airport" is appropriate.

- 7 As Ms Lester also explains, the seawall needs replacement due to a variety of factors. This will trigger a consenting obligation that is not necessarily straightforward. It is my view that this project should be afforded a pathway for consideration under the RSI provisions (across all regional and district planning levels), similar to the one that would exist for any other aspect of the development of the Airport. Policies 51 and 52 of the RPS, as referred to by the section 42A report, relate to natural hazard management and mitigation, but they do not place any weight on the benefits of RSI, which should be a consideration in my view as part of the seawall consenting.

¹ Paragraph 89 of the Section 42A Report, Hearing Stream 7, 11 March 2024

² Paragraph 92 of the Section 42A Report, Hearing Stream 7, 11 March 2024

- 8 I have also noticed some discrepancies in the definition and listed activities. Specifically, it is unclear why some infrastructure activities include their ancillary structures and activities while others do not. I have listed some examples of these below from the definition of RSI (**emphasis added on relevant parts**).

*Pipelines for the distribution or transmission of natural or manufactured gas or petroleum, **including any associated fittings, appurtenances, fixtures or equipment**.*

The National Grid.

*The Strategic Transport Network (**including ancillary structures required to operate, maintain, upgrade and develop that network**).*

Wellington International Airport.

*Commercial Port Area **and infrastructure associated with Port related activities within the Wellington Harbour (Port Nicholson) and adjacent land used in associated with the movement of cargo and passengers, including bulk fuel supply infrastructure, and storage tanks for bulk liquids and associated wharflines**.*

- 9 This inconsistency in the drafting creates ambiguity in the interpretation of the activities and may lead to misinterpretation of the intended scope, particularly for those which do not have any provision for ancillary or associated infrastructure or structures, such as the Wellington International Airport example shown. I am not sure why, for example, a much more detailed definition is included to describe the port and its "associated infrastructure and land uses".
- 10 I am therefore concerned about the drafting proposed by the Section 42A report officer. It could be interpreted to restrict infrastructure associated with or ancillary to the airport's operation to navigational aids only. This limitation

is a cause for concern, as it potentially disregards other essential ancillary infrastructure or activities also critical to the airport's functionality, such as the seawall, explained in Ms Lester's evidence.

- 11 There is no further definition of Wellington International Airport in the RPS; however, the operation of Wellington International Airport has been described in the Wellington City District Plan as follows:

- (a) Aircraft operations and associated activities, including all ground-based infrastructure, plant and machinery necessary to assist aircraft operations;*
- (b) Aircraft rescue training facilities and emergency services;*
- (c) It is important to note that the list of activities necessary for the airport to function effectively and efficiently is not limited to navigational aids. It also includes other infrastructure that may not be directly located within the airport land area, such as stormwater and wastewater connections, roads, and parking facilities. Runways, taxiways, aprons, and other aircraft movement areas;*
- (d) Airport terminal, hangars, control towers, rescue and fire facilities, navigation and safety aids, lighting and telecommunication facilities, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances;*
- (e) Associated administration and office activities;*
- (f) Roads, accessways, stormwater facilities, monitoring activities, site investigation activities, infrastructure and utility activities (including sustainable infrastructure), and landscaping;*

- (g) Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;*
- (h) Signage, artwork or sculptures, billboards and flags;*
- (i) Hotel/visitor accommodation, conference facilities and services;*
- (j) Retail activities, service retail, restaurants and other food and beverage facilities including takeaway food facilities and commercial activities, provided they are located within the Terminal Precinct;*
- (k) Industrial and commercial activities provided they are associated with aircraft operations or serve the needs of passengers, crew, ground staff, airport workers, and other associated workers and visitors;*
- (l) Structures to mitigate against the impact of natural hazards;*
- (m) All demolition (if required) construction and earthworks activities, including associated structures;*
- (n) Ancillary activities, buildings and structures related to the above;
and*
- (o) Servicing, testing and maintenance activities related to the above.*

12 Notably the list of activities necessary for the airport to function effectively and efficiently is not limited to navigational aids. It also includes other infrastructure, some of which may also not be directly located within the airport land boundary, such as stormwater and wastewater connections, roads, and parking facilities. It also includes structures to mitigate against the impact of natural hazards.

13 I am therefore of the view that an amendment should be made to the RSI definition for "Wellington International Airport". This is set out below. This amendment would help to prevent ambiguities and inconsistencies in

interpretation and provide coherence with lower-order planning documents such as the Wellington City Plan. It would also suitably recognise the importance of supporting or ancillary infrastructure to the safe and efficient operation of the Airport.

Wellington International Airport including all associated infrastructure and structures (for the avoidance of doubt, this includes navigational aids and the sea wall between Lyall Bay and Moa Point).

Claire Hunter

28 March 2024