

WELLINGTON REGIONAL COUNCIL

PROPOSED PLAN CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

MINUTE 7

HEARING STREAM 2 – COUNCIL RIGHT OF REPLY AND INTENTION FOR CAUCUSING FOLLOWING OFFICER REPLY

1. We thank everyone who participated in Hearing Stream 2 (HS2). We have now heard all submitters who asked to speak to their submissions. This Minute directs the Council to address specific questions and issues as part of their right of reply for HS2. The Minute also records that we anticipate issuing directions after 13 May 2025 regarding caucusing on the *E.coli* TAS targets and timeframes.
2. The version of the provisions we have based our questions on in this Minute is the version tabled by the Reporting Officer during the hearing and [uploaded to the Hearings webpage](#). It is titled 'Amendments to Appendix 2 – Further Recommended Amendments (dated 11 April 2025).
3. We note that the Council is able to address any additional matters it would like to in its reply, and is not limited to the matters set out below.

Information requests for Council

4. We ask that the following information is provided by the Council and/or its experts by 4pm on Tuesday 13 May 2025.

Environmental outcomes and TAS

5. In our view, an environmental outcome is a statement of the desired outcome for a particular value. Environmental outcomes can be stated as 'narrative outcomes' such as for mahinga kai (e.g. Objective WH.O5(e)) and benthic cyanobacteria (WH.O8(b)); or they can be stated as numeric outcomes (e.g. Target Attribute States (TAS) for rivers Tables 8.4 and 9.2). Policies and rules then state *how* the outcomes are to be achieved.

Question for Reporting Officer (the Officer): Please consider whether a definition of 'environmental outcomes' would be helpful to include in the NRP; and if a definition is supported, please provide recommended wording.

The definition could draw on the definition of 'environmental outcome' in the NPS-FM, but could also specifically capture the narrative and numeric outcomes sought in PC1. We note that 'environmental outcomes' is proposed to be included in Objective P.O2(i) in bold (indicating a defined term).

Method M36A: Long-term wai ora vision Freshwater Action Plans

6. Can the Officer please consider whether Territorial Authorities (TAs) should also be included after para (d) – e.g. "*Freshwater Action Plan(s) may be prepared for, or incorporate, refined*

actions for any aspect of wai ora identified in partnership with *mana whenua* and following engagement with the community, territorial authorities and any affected stakeholders”.

Objective WH.01

7. Based on the evidence presented by Royal Forest and Bird Protection Society of NZ (Forest and Bird) regarding the translocation of species, can the Officer please consider whether adding the words “where they would have naturally occurred” to the third bullet point describing wai ora state, is necessary.
8. Can the Officer please advise whether she supports the amendments proposed by Wellington International Airport Limited (WIAL) to the Note:

“Note: Objectives WH.02 to WH.09 set out what is needed to achieve progressive implementation of this long-term objective up to 2040. Therefore, resource consent ~~applicants applications and Notices of Requirement~~ do not need to demonstrate their ~~proposed activities alignment~~ with this objective.”

Objective WH.03, Tables 8.1 and 8.1A

9. Can the Officer please consider whether the word “coastal” should be inserted before “ecosystems and habitats”.
10. It seems that Table 8.1A matters are not captured in paragraphs (b) to (h) of the Objective. We query whether ‘bacterial contamination’ should have its own paragraph cross-referring to Table 8.1A. We note paragraph (b) deals with contaminants from point source discharges and does not include bacterial contamination which we understand comes from non-point source discharges. Can the Officer please consider and advise.
11. Is it appropriate to include a map reference in Table 8.1A (similar to the reference to Map 83 in the heading ‘Coastal Water Management Units’ in Table 8.1).
12. We query whether ‘Mākara and Wainuiomata Estuaries’ in Table 8.1A should instead be referred to as ‘Mākara and Other Estuaries’ to align with the wording of the Coastal Water Management Units referred to in Table 8.1. Can the Officer please advise.

Objective WH.05

13. Can the Officer please provide the advice received from the Council’s scientist supporting the 20m riparian vegetation planting around the perimeter of the Parangarahu Lakes.

Objective WH.09 and Table 8.4

14. Can the Officer please advise whether paragraph (e) should refer to ‘discharges’ as well as ‘activities’ e.g.:

“the targets in Table 8.4 are managed and monitored ... and where specific policies and rules are included in this chapter of the plan to manage an activity or discharge, and:

(i) *when the specific policies and rules are fully satisfied, then the activity or discharge can be considered to be consistent with the target attribute state”.*

15. We understand that for *E.coli*, an improvement from state E to D is still a reasonably significant improvement in terms of ecosystem and human health. Can Dr Greer please expand further on this change. What is required to achieve a TAS state D and how much of an improvement will it result in?

16. At the hearing, we asked Dr Greer if a TAS state requiring ‘*Improve within C band*’ (for instance) was clear enough to plan users. We would appreciate further advice on this.

17. In a few instances in the Table, there is “*insufficient data*” for the baseline state of an attribute. We understand the Officer will provide updated information on baseline dates. Please advise when this information will be tabled.

18. Please advise if Dr Greer’s assessment has changed in light of the submissions presented at the hearing by Mr Cairns for NZ Farm Forestry Association?

19. We would like further information from the Officer and Dr Greer as to whether the main reason for supporting a reduction in the *E.coli* TAS from:

- a. state C to D for:
 - i. Waiwhetū Stream
 - ii. Wainuiomata urban streams
 - iii. Te Awa Kairangi urban streams
 - iv. Kaiwharawhara Stream, and
 - v. Wellington urban, and
- b. state B to C for Te Awa Kairangi rural streams and rural mainstems

is because of financial constraints i.e. due to the network improvements required to achieve the higher state TAS.

20. If that is correct, can Dr Greer advise what would need to occur to the wastewater / stormwater network to achieve the higher TAS, as notified in PC1? This information will inform the caucusing we intend to direct for the TAs and Wellington Water Limited (see paragraphs 37 - 38 below).

21. At the hearing, we raised with Dr Greer some potential anomalies in Table 8.4. We ask Dr Greer to review Table 8.4 with the Officer and table an updated version. For instance:

- a. For Macroinvertebrates (1 of 2) - why is Wainuiomata urban baseline at 99 (state ‘D’), and the TAS is ≥ 90 and that is state C?
- b. We noticed that Wainuiomata River D/S of White Br has a numeric TAS of ≤ 200 (state B), but elsewhere ≤ 200 (e.g. Mākara St @ Kennels) is state C. This may be due to different river classes but we would appreciate it if Dr Greer to review this across Table 8.4.

- c. For Kaiwharawhara S @Ngāio Gorge, the numeric baseline is 191 (state D), but elsewhere, e.g. the baseline for Wainuiomata River D/S of White Br, state D is higher (324). This could again be due to different river classes but we would appreciate it if Dr Greer could review this across Table 8.4.

Objective WH.O10

22. Forest and Bird's counsel Ms Downing submitted that an 'unders and overs approach' was found to be legally incorrect in *Ngāti Kahungunu v Hawke's Bay Regional Council*. Ms Downing queried the reference to "overall improvement" in WH.O10. We understand the Officer verbally supported these words being deleted from the Objective at the hearing. Please advise.
23. Does the Officer consider that the words "subclause (a)" should be inserted into the Note before "this Objective". So that the sentence would read "...need to demonstrate their proposed activities align with subclause (a) of this objective...".
24. Also, regarding the Note, does the Officer support similar amendments to those proposed by WIAL in relation to the Note in Objective WH.O1?

Objective P.O2

25. We refer the Officer to our comment above in paragraph 4 regarding the term "environmental outcomes" and whether it is intended to be a defined term.

Objective P.O3 and Table 9.1

26. While a minor drafting issue, can the Officer please advise whether she supports this amendment:
"*... and the open coastal areas of Te Awarua-o-Porirua is are maintained...."*
27. Please see our query in paragraph 9 above regarding bacterial contamination. This issue also seems to be absent from this Objective. We query whether Objective P.O3(b) needs a separate subclause to address bacterial contamination / enterococci. If it does, then is paragraph (b) too narrow given it only addresses point source discharges? Should diffuse bacterial discharges/contamination to the coast also be covered?
28. In light of the concerns raised at the hearing by the representative from Te Awarua o Porirua Harbour and Catchments Community Trust & Guardians of Pāuatahuni Inlet, can Dr Melidonis please provide a summary of 'natural sedimentation levels' particularly for the Onepoto Arm and Pāuatahuni Inlet? We understand that since the WIP was developed, modelling and updated science has found that the naturally occurring sedimentation levels are higher than originally thought, and this supports a higher TAS for sedimentation. Mr Teal explained that this was not the view 'on the ground' by the community. We consider that further explanation on this issue would be helpful.

Objective P.O5

29. A minor drafting issue but should there be a paragraph (b) for the sentence “*the values of connected **surface water bodies** ...*”?

Objective P.O6 and Table 9.2

30. At the hearing, we raised with Dr Greer some anomalies in Table 9.2. We ask Dr Greer to review Table 9.2 with the Officer and table an updated version. See paragraph 20 above of this Minute for some examples of the potential anomalies we noticed regarding Table 8.4. A similar review of Table 9.2 would be helpful.

31. We would like further information from the Officer and Dr Greer as to whether the main reason for supporting a reduction in the *E.coli* TAS from:

- a. state C to D for:
 - i. Taupō
 - ii. Wai-O-Hata
 - iii. Takapū, and
 - iv. Te Rio o Porirua and Rangituhi

is because of financial constraints i.e. due to the network improvements required to achieve the higher state TAS.

32. If that is correct, can Dr Greer advise what would need to occur to the wastewater / stormwater network to achieve the higher TAS as notified in PC1? This information will inform the caucusing we intend to direct for the TAs and Wellington Water Limited (see paragraphs 37 - 38 below).

Objective P.O7

33. Regarding the Note, does the Officer support similar amendments to those proposed by WIAL in relation to the Note in Objective WH.01?

Policy WH.P4

34. We query the ‘percentage reduction’ requirements in (b). Should this be a percentage load reduction from the activity itself and not from the total annual load? If the Officer considers that her s42A wording is accurate, how will a consent applicant know if they have satisfied this policy?

Policy P.P4

35. Should the chapeau refer to ‘Table 9.2’ instead of Table 9.4?

Policy P.P4

36. Similar to our query above in paragraph 34, should the percentage load reduction in (b) be expressed as a reduction in sediment loading from the activity itself instead of from the total

mean annual load? If the Officer considers that her s42A wording is accurate, how will a consent applicant know if they have satisfied this policy?

Due date for Council Reply

37. The Council's reply is to be uploaded to the Hearings webpage by 4pm on Tuesday 13 May 2025.

Caucusing

38. Having heard mana whenua, community groups and other submitters, we remain concerned about the relaxation of *E.coli* TAS targets and timeframes in the rivers of the two whaitua. Once the information we have requested from Council in paragraphs 19 and 31 is provided, we intend to direct caucusing with Wellington Water Limited, the four affected Territorial Authorities, Mr Walker, Dr Greer and the Officer. The purpose of the caucusing is to see if agreement can be reached on improved TAS states and timeframes for *E.coli* in the rivers of the two whaitua, particularly given the information in the submissions and hearing presentations of Ngāti Toa Rangatira and Taranaki Whānui. The information provided by those and other submitters will inform the caucusing.
39. Specific directions for caucusing will be provided in a subsequent Minute after the information requested in paragraphs 19 and 31 is received. However, at this stage, we anticipate our questions will address the following matters:
- a. What maintenance and upgrade work is currently planned and scheduled across the network to address dry weather leaks and wet weather overflows?
 - b. Where is this work planned?
 - c. Is the work currently prioritised to address the critical areas identified in Tables 8.4 and 9.2 such as Te Awa Kairangi urban streams, Waiwhetū Stream and Wainuiomata urban streams?
 - d. Is it possible to quantify the *E. coli* load reductions or specific actions required to achieve the TAS in 'hotspot' areas such as the Te Awa Kairangi/Hutt River @ Melling Bridge site?
 - e. How will the TAS drive infrastructure investment in the hotspot or priority areas?
 - f. Will Objective WH.09(d) and Objective P.06(e) if adopted in the NRP help to secure the prioritisation needed to achieve the TAS *E.coli* targets?
 - g. What changes are needed to ensure Wellington Water Limited, the TAs and the regional council take a region-wide collective approach to infrastructure investment to ensure priority upgrade and maintenance work is undertaken and not de-prioritised as a result of responding to unintended events (breakages and faults etc).
 - h. What is the current status of Wellington Water's Global Network Discharge consent application? Is prioritiation
 - i. Do the TAs consider the mixed-timeframe approach outlined in the Officer's and Mr Walker's rebuttal evidence is workable?
 - j. If so, could further prioritisation occur among the caucusing parties to drive higher TAS for *E.coli* in timeframes consistent with the notified timeframes, particularly for the hotspot monitoring sites.
 - k. Following the caucusing, we will request the Officer to advise whether she considers the notified timeframe and/or higher TAS state can be achieved for *E.coli* in the rivers of the two whaitua.

40. We invite mana whenua, Wellington Water and the local authorities (including the regional council) to suggest issues / matters for our consideration for inclusion on the caucusing agenda. Any comments are to be received by 4pm on Tuesday 13 May 2025.

Service on Council

41. Any evidence or information required by this Minute, and any memorandum or application to the Freshwater Hearings Panel and/or P1S1 Panel should be lodged by email to regionalplan@gw.govt.nz.



Dhilum Nightingale
Chair

For and on behalf of the
Freshwater Hearing Panel and
Part 1, Schedule 1 Hearing Panel