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By Email

29 March 2016

Our Ref: 6903

Greater Wellington Regional Council
PO Box 11646
WELLINGTON 6142

Attention: Planning Department
regionalplan@gw.govt.nz

Dear Sir / Madam

RE: PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

Please find enclosed a further submission on the proposed Natural Resources Plan for the Wellington Region, prepared on behalf of Wellington International Airport Limited.

We draw Council's attention to some errors and omissions identified in the Summary of Decisions Requested. These are collated at Attachment B of the further submission.

We look forward to being kept informed of the process in relation to the Proposed Plan.

Yours sincerely,
MITCHELL PARTNERSHIPS LIMITED



CLAIRE HUNTER

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cc: Mike Brown

Wellington International Airport

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FORM 6

FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON PUBLICLY NOTIFIED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

Clause 8 of Schedule 1, Resource Management Act 1991

To: Planning Department
Wellington Regional Council
PO Box 11646
WELLINGTON 6142

Submission on: Proposed Natural Resources Plan for the Wellington Region

Name: **Wellington International Airport Limited (“WIAL”)**

Address: Wellington International Airport Limited
C/- Mitchell Partnerships Ltd
Private Bag 1919
Dunedin 9054

1. **This further submission is in opposition to or support of submissions on the Proposed Natural Resources Plan for the Wellington Region (“Proposed Plan”).**
2. **WIAL has an interest in the Proposed Plan that is greater than the interest the general public has within the Region.**
3. **WIAL will not gain an advantage in trade competition through this further submission.**
4. **Background to WIAL’s Further Submission**
 - 4.1. WIAL provided an overview of its history, operations and facilities, potential future development opportunities and significance at the regional and national scales in its original submission on the Proposed Plan¹.

¹ WIAL “Submission on Publicly Notified Proposed Natural Resources Plan for the Wellington Region”, 25 September 2015.

- 4.2. In summary, Wellington International Airport (the “**Airport**”) is vital to the Wellington region and more widely to New Zealand. The Airport connects residents, visitors and businesses to all parts of New Zealand and to Australia, the Pacific and the rest of the world. It significantly contributes to the city and wider regional economies. Passenger numbers are booming and WIAL needs to plan for and accommodate this growth, including through investment in essential infrastructure.
- 4.3. WIAL is responsible for the operation of the Airport and is a key stakeholder in the Wellington regional tourism industry. WIAL is classified as “regionally significant infrastructure”² and is also classified as a “lifeline utility”³.
- 4.4. WIAL’s submission on the Proposed Plan raised concerns in relation to a number of proposed provisions. WIAL’s submission sought a range of outcomes, briefly summarised as follows:
- The appropriate recognition of, and provision for, the development, operation, maintenance and upgrade of regionally significant infrastructure;
 - The protection of regionally significant infrastructure from constraints arising from reverse sensitivity effects;
 - To ensure that the Proposed Plan does not inappropriately prohibit certain activities and promotes a balanced assessment of adverse and positive effects and any associated remediation or mitigation techniques, in support of overall community wellbeing;
 - The promotion of consistency between the Proposed Plan and higher order policy documents such as the New Zealand Coastal Policy Statement (“**NZCPS**”) and Wellington Regional Policy Statement (“**RPS**”);
 - To avoid duplication, inconsistencies or conflict between provisions of the Proposed Plan.
- 4.5. In this further submission WIAL has identified and opposed other parties submissions where the relief sought may, in WIAL’s view, inappropriately constrain the use, maintenance, upgrade, operation, extension and development of existing and new regionally significant infrastructure and ancillary development and activities that support the effective and efficient operation of such infrastructure, to an extent that is not justified by the Resource Management Act 1991 (“**RMA**”).
- 4.6. As identified in WIAL’s original submission, numerous Objectives, Policies and Rules of the Proposed Plan are drafted in a rather absolute manner. WIAL has supported the submissions of other parties in instances where generally appropriate alternative drafting has been proffered.

² As defined in Appendix 3 of the Greater Wellington Regional Policy Statement.

³ As defined in the *Civil Defence Emergency Management Act 2002* (“**CDEM Act**”)

- 4.7. WIAL has also identified three matters raised in its original submission that have not been included in the Summary of Decisions Requested. These submissions are included in the table at **Attachment B**.
- 4.8. WIAL considers that the relief sought via this further submission will ensure that:
- a) The Proposed Plan is consistent with, and will achieve the purpose and principles of the RMA (and higher order documents) of promoting the sustainable management of natural and physical resources;
 - b) It will enable the people and communities of the Wellington Region to provide for their social and economic wellbeing and their health and safety;
 - c) It will provide for the avoidance, remediation or mitigation of adverse effects on the environment;
 - d) It will promote the efficient use and development of natural and physical resources;
 - e) It will assist the Council to carry out its functions under the RMA of achieving the integrated management of the effect of the use, development or protection of land;
 - f) It will meet the requirements to satisfy section 32 of the RMA; and
 - g) It represents sound resource management practice.
5. **WIAL's further submission is included below as Attachment A.**
6. **WIAL does wish to be heard in relation to this further submission.**
7. **If others make a similar submission WIAL will consider presenting a joint case with them at any hearing.**
8. **WIAL seeks the following decision from the Greater Wellington Regional Council:**
- 8.1. That the relief sought and/or amendments (or those with similar or like effect to address WIAL's further submission points) outlined in **Attachment A** be accepted
 - 8.2. Such further, alternative, consequential or other relief as is appropriate or desirable in order to take account of the matters expressed in this submission.

Signature:



By its authorised agent Claire Hunter, on behalf of
Wellington International Airport Limited

Date:

29 March 2016

Address for service: Wellington International Airport Limited
C/- Mitchell Partnerships
PO Box 489
DUNEDIN 9054

Contact Details:

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ATTACHMENT A

Underlined text represents additions; ~~strikethrough~~ text represents deletions

SUBMITTER	SUBMITTER ID.	PROVISION	RELIEF SOUGHT	WIAL POSITION	WIAL REASONS
CHAPTER 2 INTERPRETATION					
NZ Transport Agency	S146/027	Definition: "Operational requirement"	Support in part. Amend the definition of operational requirement: <i>When an activity needs to be carried out in a particular location or way in order to be able to function <u>safely</u>, effectively and efficiently.</i>	Support	It is appropriate to recognise in the definition that some activities are subject to operational requirements relating to safety. In the case of the Airport, there are numerous such requirements such as Obstacle Limitation Surfaces and runway length.
	S146/031	Definition: "Reverse sensitivity"	Amend the definition of reverse sensitivity: <i>The vulnerability of an existing lawfully-established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activities, thereby creating the potential for the operation, <u>maintenance, upgrade and development</u> of such existing activity to be constrained.</i>	Support	The proposed amendments more comprehensively address the range of potential reverse sensitivity effects on existing activities that may occur when sensitive uses encroach into inappropriate environments.
	S146/032	New definition proposed. "Seawall".	Add a new definition for 'seawall' as follows: <i>Seawall means a man-made structure in the coastal environment primarily constructed for protective purposes but which may also accommodate other beneficial uses such as walkways or cycleways.</i>	Support	WIAL considers that it would be useful to include a definition of the term "seawall" in the Proposed Plan as there are policies and rules directly governing the development and maintenance of seawalls.
	S146/008	Definition: "Biodiversity offset"	Amend the definition of biodiversity offset. <i>A measurable positive outcome resulting from an action designed to compensate for the residual adverse effects on biodiversity arising from an activity after avoidance, remediation and mitigation measures have been taken. Biodiversity offsets differ from mitigation in so far as offsets require the demonstration of no net loss of biodiversity and preferably a net gain. The use of biodiversity offsets as a mitigation method does not differ in application from other mitigation measures and so offsets do not require a demonstration of no net loss do not need to secure a net gain. The performance of offsets (nil-effect or net gain or other) is a matter for the particular circumstances of proposed projects (applications) and based on the overall performance of a proposal within the RMA decision making framework (section 104 and Part 2). The principles to be applied when proposing and considering biodiversity offsets are provided in Schedule G (biodiversity offsetting).</i>	Support	The use of a merits-based framework for the application of offsets rather than a mandatory "no net loss" approach is supported. This will enable better responsiveness to the circumstances of individual applications.

<p>Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council</p>	<p>S85/060</p>	<p>Definition: "Zone of reasonable mixing"</p>	<p>Amend the definition of reasonable mixing to provide more clarity in relation to discharges to coastal water.</p>	<p>Support in part</p>	<p>WIAL supports the relief sought by submitter 85 insofar as clarification is sought with regards to how the definition of the term "zone of reasonable mixing envisages the requirements of Policy P71 being applied to discharges to coastal water.</p> <p>The notified definition of "zone of reasonable mixing" excludes discharges to coastal water as follows:</p> <p><i>Zone of reasonable mixing</i></p> <p><i>For the purpose of permitted rules in the Plan, but excluding discharges to coastal water, the zone of reasonable mixing is:</i></p> <ul style="list-style-type: none"> <i>(a) in relation to flowing surface water bodies, whichever of the following is the least:</i> <ul style="list-style-type: none"> <i>(i) a distance 200m downstream of the point of discharge if the width of the wetted channel is greater than 30m at the point of discharge, or</i> <i>(ii) a distance equal to seven times the width of the wetted channel of the surface water body, but which shall not be less than 50m, or</i> <i>(iii) the distance downstream at which mixing of contaminants has occurred across the full width of the wetted channel of the surface water body, but which shall not be less than 50m, or</i> <i>(b) in relation to lakes, a distance 15m from the point of discharge.</i> <p><i>For consented activities and for permitted activity discharges to coastal water, the zone of reasonable mixing is determined on a case by case basis in accordance with Policy P71.</i></p> <p>The direction in the definition to assess permitted discharges to coastal water in accordance with Policy P71 is complicated by the fact that P71 applies various performance standards applicable to discharges to rivers (i.e. to <i>freshwater</i>).</p> <p>It may not be possible to translate the performance standards specified in Policy P71 to discharges to coastal water (given the performance standards ostensibly apply to freshwater).</p>
<p>Wellington Water Limited</p>	<p>S135/010</p>	<p>Definition: "Coastal restoration plan"</p>	<p>Amend - clarify what is meant by "<i>natural state</i>" and recognise that most of the urban Wellington region coastline has been extensively developed.</p>	<p>Support</p>	<p>It is considered that the submission correctly identifies the ambiguity of the term "natural state" where applied to highly modified coastal environments. Recognition that the Wellington coastline is highly modified in places will ensure that coastal restoration plans are responsive to the particular environment they are prepared for and not unduly onerous.</p>

	S135/017	Definition: "Hard engineering"	Amend - add "or infrastructure" after "to prevent erosion of the land". <i>Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land or infrastructure. Also referred to as 'structural engineering'.</i>	Support	Hard engineering is often used to protect infrastructure that is located with a land-water interface. The proposed amended definition introduces recognition of this and therefore integrates more clearly with Policy P28 which refers to protecting development (and not just land) from risk.
	S135/019	Definition: "High hazard areas"	Amend. Reconsider the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard.	Support	The all-inclusive nature of this definition may constrain development in locations that would otherwise not be classified as high hazard areas.
CHAPTER 3 OBJECTIVES					
NZ Transport Agency	S146/064	New Objective	Add new objective: <u>Discharges associated with regionally significant infrastructure are managed through the adoption of the best practicable option.</u>	Support	Regionally significant infrastructure has a range of varying discharge requirements associated with differing functional, operational and locational requirements. It is therefore considered appropriate to facilitate a case-by-case assessment of the best practicable option for these developments.
	S146/042	New Objective	Add new objective: <u>The safe, effective and efficient use, operation, maintenance, upgrade and development of regionally significant infrastructure is provided for.</u>	Support	The NZTA's submission is compatible with a new objective sought by WIAL in its original submission as follows: <u>Development of regionally significant infrastructure</u> <u>Provide for and enable the development and growth of regionally significant infrastructure.</u> WIAL consider it necessary to include a new objective in the Proposed Plan to explicitly support the development of regionally significant infrastructure. Objectives O12 and O13 as notified recognise <i>existing</i> regionally significant infrastructure but are not explicit with regards to <i>new</i> infrastructure.
	S146/043	New Objective	Add new Objective: <u>To recognise that regionally significant infrastructure represents appropriate use and development in all environments where there are functional needs or operational requirements.</u>	Support	This objective will work in conjunction with proposed Objective O53 to exclude activities that do not have a functional need or operational requirement to be located in the CMA and provide for those that do. It will also complement objectives O54, O21 and O56 (as amended by WIAL's original submission).
Minister of Conservation	S75/021	New Objective	Insert new objective as follows: <u>In areas potentially affected by coastal hazards over at least the next 100 years, increases in risk, residual risk, and adverse effects from coastal hazards, including the effects of climate change on people, property or the environment are avoided.</u>	Oppose	WIAL considers that this proposed policy is inappropriate for inclusion in the Proposed Plan as it is ambiguous, overly restrictive and fails to recognise the presence of existing infrastructure in areas of risk. It also requires the avoidance of adverse effects from coastal hazards. The objective is ambiguous in the use of the terms "at least" and "potentially". It appears to require development/activities that exist in

					hazardous areas avoid the associated risk. This is a threshold that is unlikely to be possible in many cases. Where activities exist in (or where new activities have a functional/operational requirement to locate in) a hazard-prone area, the avoidance of risk is not possible.
CentrePort Limited (CentrePort)	S121/021	Objective O9: Recreational values	Amend Objective O9 as follows: <i>The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced <u>where appropriate</u>.</i>	Support	As set out in WIAL's original submission, this objective should be qualified to avoid a mandatory requirement relating to maintenance and enhancement as these may not be feasible or desirable objectives in all situations.
CentrePort Limited (CentrePort)	S121/022	Objective O10: Public access	Amend Objective O10 as follows: <i>Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u>.</i>	Support	As set out in WIAL's original submission, this policy fails to recognise that restrictions on public access may be necessary, where consistent with Policy 19(3) of the NZCPS.
Federated Farmers of New Zealand	S352/063	Objective O12: Benefits of regionally significant infrastructure	Amend: <i>The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are <u>recognised and provided for</u>.</i>	Support	This submission is consistent with WIAL's original submission on this Objective. To enact the recognition provided for by the notified policy it is necessary to "provide for" regionally significant infrastructure activities. This is consistent with the manner in which subsequent policies and rules provide certain exemptions for such infrastructure.
Wellington Electricity Lines Limited	S126/013	Objective O13: Protecting regionally significant infrastructure	Amend O13 include the word 'development' as follows: <i>The <u>development</u>, use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i>	Support in part	It is appropriate to recognise that infrastructure facilities may require additional development in the future to provide capacity to service the demands of population growth. Future development opportunities for infrastructure may be foreclosed on by the establishment of inappropriate use and development in nearby areas, with significant implications for the community. This should be considered in the assessment processes relating to sensitive activities.
Rangitane o Wairarapa Inc	S279/030	Objective O19: Natural processes	Amend the objective to ensure: <ul style="list-style-type: none"> • <i>The natural processes referred to in the objective are clearly identified; and</i> • <i>That it is adverse effects from use and development not interference that needs to be managed.</i> <i>Or Objective O19 should be deleted in its entirety (the outcome is achieved by O17)</i>	Support	WIAL also sought the deletion or amendment of this objective due to its ambiguity.
The Oil Companies	S55/003	Objective O20 Risk from natural hazards	Modify O20 as follows: <i>The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable <u>appropriately managed so that risks remain acceptable</u>.</i>	Support	WIAL considers that the Oil Companies submission appropriately distinguishes that natural hazard and climate change effects are inherently variable. It is the community's management response that determines the "acceptability" of risk, residual risk, and adverse effects.

Spark New Zealand Trading Limited	S98/007	Objective O21: High hazard areas	Amend Objective O21: <i>Inappropriate use and development in high hazard areas is avoided, other than</i> <i>a) where it has a functional need and/or operational requirement to be located there, and/or</i> <i>b) where it is necessary to enable the efficient operation of regionally significant infrastructure.</i>	Support	As noted in its original submission, WIAL considers that this policy should recognise the locational and operational requirements associated with regionally significant infrastructure. These requirements can dictate hazard locations, however suitable design and management of risk can ensure that such siting is appropriate.
CentrePort Limited (CentrePort)	S121/028	Objective O22: Hard engineering	Amend Objective O22 as follows: <i>Hard engineering mitigation and protection methods are only used as a last practicable option unless there is a functional need or operational requirement.</i>	Support	As set out in its original submission WIAL considers that the use of hard engineering methods may be inherent to certain forms of infrastructure development and therefore should be enabled.
Masterton District Council	S367/051	Objective O31: Outstanding water bodies	Amend Objective O31 to read: <i>Outstanding water bodies (Schedule A) and their significant values are protected from inappropriate use and development.</i> Amend Objectives O31 to O38 (inclusive) to clearly identify that the protective requirements of those provisions only relate to the identified features and matters determined to be of value within that relevant Schedule. Delete and redefine maps to provide certainty as to the extent and location of scheduled items, including provision for reach specific values to be determined, rather than generic values.	Support	As set out in its original submission, WIAL considers that it is necessary to amend this objective to identify the values to which the objective applies. Additionally the objective requires amendment to align with the requirements of Section 6 of the RMA.
Masterton District Council	S367/055	Objective O35 Significant indigenous biodiversity values	Amend Objectives O31 to O38 (inclusive) to clearly identify that the protective requirements of those provisions only relate to the identified features and matters determined to be of value within that relevant Schedule. Delete and redefine maps to provide certainty as to the extent and location of scheduled items, including provision for reach specific values to be determined, rather than generic values.	Support in part	As set out in its original submission, WIAL considers that it is necessary to amend this objective to identify the values to which the objective applies.
Masterton District Council	S367/055	Objective O36 Significant geological features	Amend Objectives O31 to O38 (inclusive) to clearly identify that the protective requirements of those provisions only relate to the identified features and matters determined to be of value within that relevant Schedule. Delete and redefine maps to provide certainty as to the extent and location of scheduled items, including provision for reach specific values to be determined, rather than generic values.	Support	As set out in its original submission, WIAL considers that it is necessary to amend this objective to identify the values to which the objective applies.

CentrePort Limited (CentrePort)	S121/033	Objective O37 Significant surf breaks	Support in part. Clarify the nature of potential adverse effects and measurement of these and how the policy would be applied in practice. CentrePort is concerned about the level of uncertainty associated with the surf breaks as listed in Schedule K and what potential adverse effects there may be.	Support in part.	WIAL notes the concerns raised by CentrePort about the ambiguous nature of this Objective in terms of the locations of the resources sought to be managed and the nature of potential adverse effects. Notwithstanding WIAL's submission which sought the deletion of Objective O37 from the Proposed Plan on the basis that there is no national or regional requirement to identify and protect regionally significant surf breaks, WIAL agrees that further clarification as to how this objective is intended to be applied in practice would be useful.
NZ Transport Agency	S146/060	Objective O38 Special amenity landscapes	Oppose. Delete.	Support	Special amenity landscape values are not identified in the regional plan, rather they are managed through the District Plan and regional policy statement framework. The Proposed Plan has only a single policy (P49) relating to special amenity landscapes. It is unclear what value this objective adds. WIAL supports its deletion.
Masterton District Council	S367/058	Objective O38 Special amenity landscapes	Amend Objectives O31 to O38 (inclusive) to clearly identify that the protective requirements of those provisions only relate to the identified features and matters determined to be of value within that relevant Schedule. Delete and redefine maps to provide certainty as to the extent and location of scheduled items, including provision for reach specific values to be determined, rather than generic values.	Support in part	WIAL considers that if the Proposed Plan retains references to Special Amenity Landscapes, it is necessary to amend Objective O38 to identify the method through which the Special Amenity Landscapes will be identified. Otherwise the effectiveness of the Plan for users will be diminished.
Mt Victoria Residents' Association Inc (MVRA)	S162/004	Objective O39 Ambient air quality	<i>Not stated.</i> We are pleased to see a general statement in Objective O39 and Policy P52 that ambient air quality is maintained or improved to acceptable standard. Other air quality objectives and policies more specifically focus on odour, smoke, dust and fumes from many sources. However, neither they nor the related Rules include anything specific regarding transport-related pollutants. This is a major omission given that the WRC's Air Quality Management Plan 2000 states that motor vehicles are the most significant source of air pollution from mobile sources, and discharges from aircraft can have significant localised effects. We also note that the Regional Policy Statement includes transport matters regarding energy use, and land use, but not air quality. This may be because of the view (see section 3.1) that discharges from motor vehicles are not at adverse levels for people's health. However our view is that this	Oppose	The nature of relief sought by this submission is unclear. WIAL considers that it would be inappropriate to apply additional regulation to aircraft discharges based on the matters raised in submission.

			results from discharge measurements being averaged across the whole region and also because of the very limited number of GWC monitoring stations – there is only one in the whole of Wellington city.		
The Oil Companies	S55/005	Objective O41 Odour, smoke and dust	Oppose Modify Objective O41 as follows: <i>The adverse effects of odour, smoke and dust on amenity values and people's well-being are reduced <u>avoided, remedied, or mitigated.</u></i>	Support	WIAL agrees with this submission that there may be circumstances where adverse effects cannot be further reduced, for example where best practice is already being adhered to. A general requirement for all discharges to be reduced is unjustified and may complicate proposals for new discharges.
NZ Transport Agency	S146/062	Objective O43 Contaminated land	Amend Objective O43 <i>Contaminated land is identified and managed to protect human health and the environment <u>from unacceptable contamination related effects.</u></i>	Support	The adverse effects of contaminants in soil on human health are managed through a specific National Environmental Standard, not the RMA. However the Regional Council maintains a register of contaminated land for land use management purposes (the Selected Land Use Register). Therefore WIAL supports NZTA's position that the identification of contaminated land and management of the environmental effects of activities on contaminated land, be recognised through the Proposed Plan.
The Oil Companies	S55/007	Objective O44 Land use impacts on soil and water	Modify Objective O44 as follows: <i>The adverse effects on soil and water from land use activities are minimised <u>avoided, remedied, or mitigated.</u></i>	Support	WIAL's original application sought the replacement of the term "minimised" to improve the clarity of the objective.
The Oil Companies	S55/008	Objective O46 Discharges to land	Modify Objective O46 as follows. <i>Discharges to land are managed to reduce <u>the adverse effects of runoff or leaching of contaminants to water</u></i>	Support in part	WIAL supports clarification of the objective as sought by the Oil Companies to focus attention on the <i>effects</i> of runoff/leaching rather than the discharge activity itself.
Federated Farmers of New Zealand	S352/103	Objective O47 Sediment runoff	Amend as follows: <i>The amount of sediment-laden runoff entering water <u>from major infrastructure and subdivision developments</u> is reduced</i>	Oppose	WIAL's original submission sought the deletion of this objective due to its inherent ambiguity. WIAL does not consider it appropriate to solely target the objective at "major infrastructure and subdivision developments" because many other activities also contribute to sedimentation. Furthermore the proposed amendment does not address the ambiguity of the unqualified use of the term "reduced".
Royal Forest and Bird Protection Society	S353/045	Objective O53 Functional need in the coastal marine area	Amend as follows: <i>Use and development in the coastal marine area <u>environment</u> has a functional need or operational requirement to be located there and avoids adverse effects on significant indigenous vegetation and significant habitat of indigenous fauna and outstanding landscapes and features in the coastal environment.</i>	Oppose	As drafted the proposed amendment would apply a requirement to "avoid adverse effects" on a number of values. It also merges s.6(b) and 6(c) matters, and various matters which are contained in the NZCPS. The intent of this objective is to give effect to specifically Policy 6 of the NZCPS. Other provisions of the Proposed Plan suitably deal with the requirement to give effect to Policies 11, 13 and 15. WIAL submits that this objective does not need to be confused by attempting to merge and further duplicate consideration of these matters.
CentrePort Limited (CentrePort)	S121/036	Objective O55 Public open space	Amend Objective O55 as follows: <i>The need for <u>appropriately located</u> public open space in the coastal marine area is recognised</i>	Support	While WIAL supported the notified objective in its original submission, WIAL considers that the amendment sought by CentrePort improves the objective by recognising the limitations on public access to the coast that may be necessary in accordance with NZCPS Objective 4 and Policy 19(c).

CentrePort Limited (CentrePort)	S121/037	Objective O56 New development in the coastal marine area.	Amend Objective O56 as follows: <i>New development in the coastal marine area is of a scale, density and design that is compatible <u>with its function and its location in the coastal environment.</u></i>	Support in part	As set out in its original submission WIAL considers that the Objective should be amended to recognise the functional <i>and operational</i> needs of development in the CMA. Such needs may require development to be of a form not envisaged by the notified objective.
CHAPTER 4 POLICIES					
NZ Transport Agency	S146/078	4. Policies	Add a new policy to provide direction on the duration of operational consents for infrastructure of regional significance. <i><u>Resource consent durations for regionally significant infrastructure applications required under ss13, 14 and 15 of the RMA will generally be granted for the maximum period of time unless reasons are identified during the consent process that make this inappropriate</u></i>	Support	Given the long lifespan of regionally significant infrastructure it is appropriate to provide consents with a long duration, as a means of enabling the efficient and effective operation of such infrastructure.
Chorus New Zealand Limited	S144/009	Policy P7 Uses of land and water	Amend Policy P7 as follows: <i>The cultural, social and economic benefits of using land and water for:</i> ... <i>(l) <u>Regionally Significant Infrastructure</u></i>	Support	It is considered appropriate to amend the policy as proposed by Chorus NZ Ltd as this will support new Objectives sought by WIAL (and other submitters, e.g. NZTA) relating to recognition and provision for regionally significant infrastructure.
CentrePort Limited (CentrePort)	S121/043	Policy P8 Beneficial activities	Amend Policy P8 as follows: ... h) <i><u>maintenance, use and upgrading of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes, and</u></i>	Support	It is considered appropriate to provide for the upgrading of existing infrastructure as a beneficial and generally appropriate activity.
	S121/044	Policy P9 Public access to and along the coastal marine area and the beds of lakes and rivers	Amend Policy 9 as follows: <i>Reduction in the extent or quality of public access to and along the coastal marine area ...</i> <i>(b) <u>protect public health, and safety, security and biosecurity, or...</u></i> <i>with respect to (a), (b) and (c), where it is necessary to permanently restrict or remove existing public access, and where practicable and achievable and considering the nature of the activity, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location <u>or offset.</u></i>	Support	It is considered appropriate to incorporate consideration of the practical constraints to achieving mitigation/enhancement/offset of any loss of public access into the policy. In some circumstances the mitigation of a loss of access may not be possible or necessary having regard to the nature of the activity. The amended policy appropriately (in WIAL's view) differentiates between mitigation and offset measures. It envisages that an offset may be a feasible alternative but may not be possible or appropriate in a similar or nearby location.
NZ Transport Agency	S146/082	Policy P12 Benefits of regionally significant infrastructure and renewable electricity generation facilities	Amend Policy 12: <i>The benefits of regionally significant infrastructure and renewable energy generation activities are recognised <u>and provided for by having regard to taking into account:</u></i> (a) . . .	Support in part	As set out in WIAL's original submission, the inclusion of the phrase " <i>and provided for</i> " and recognition of the value or existing investment in infrastructure is supported. WIAL also supports the amendment of sub-clause (d) to refer to "other regionally significant infrastructure".

			<p>(b) <u>the investment in, and the location of existing infrastructure and structures, and</u></p> <p>(c)</p> <p>(d) <u>the functional need for port activities and other regionally significant infrastructure to be located within the coastal marine area and the coastal area, and</u></p> <p>(e) <u>the functional need for regionally significant infrastructure to be located over, under, within and adjacent the beds of rivers and lakes, and</u></p> <p>(f) <u>operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</u></p> <p>(g) <u>The safe, efficient and effective use of the Strategic Transport Network</u></p>		
Vector Gas Ltd	S145/029	Policy P13 Existing regionally significant infrastructure and renewable electricity generation facilities	Amend Policy 13: <u>The use, operation, maintenance, and upgrade replacement, and development of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.</u>	Support	It is considered appropriate (as set out in WIAL's original submission) to include reference to the development of infrastructure in this policy. WIAL also supports reference to "replacement" as this can support the effective and efficient delivery of services to support community wellbeing. It is noted that the term "existing" would have to be deleted if the reference to "development" is accepted.
Rangitane o Wairarapa Inc	S279/082	Policy P17 Mauri	<p><u>The mauri of fresh and coastal waters shall be recognised as being important to Maori and sustained and enhanced by:</u></p> <p>(a) managing <u>avoiding remedying or mitigating the individual and cumulative adverse effects of activities that may impact on mauri in the manner set out in the rest of the Plan including by not allowing activities that will have significant adverse effects on the quality and quantity of fresh and coastal water and their associated ecosystems, and</u></p> <p>(b) <u>providing for activities that sustain and enhance mauri, and</u></p> <p>(c) <u>recognising and providing for the role of kaitiaki in sustaining mauri, including by enabling participation of kaitiaki as affected parties in resource consent processes involving discharges to water or discharges to land that may enter water, and activities affecting Sites of Significance to Mana Whenua, water bodies with outstanding cultural and spiritual values and Nga Taonga Nui a Kiwi (sic)</u></p>	Oppose in part	<p>WIAL is of the view that the proposed amendments to sub-clause (a) would effectively result in a prohibition of activities that would have significant adverse effects on the mauri of fresh and coastal waters. WIAL is concerned that an absolute prohibition does not enable a merits assessment of proposals and therefore may have wider adverse implications for the wellbeing of the community, for example by prohibiting regionally significant infrastructure development.</p> <p>WIAL also notes that the first section of the amended policy requires the mauri of fresh and coastal waters to be sustained and enhanced. This is a requirement that may not be practical in every case, particularly where large-scale infrastructure development is required.</p>

NZ Transport Agency	S146/090	Policy P25 Natural character	Amend Policy 25: <i>Use and development shall avoid, remedy or mitigate significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</i> ... <i>(d) whether it is practicable to protect natural character from inappropriate use and development through the use and development is appropriate after considering:</i> <i>(i) using an the use of alternative locations, or form of development that would be more appropriate to that location; and</i> <i>(ii) considering the extent to which functional need or existing use limits location and development options;</i> <i>(iii) whether the use or development is regionally significant infrastructure.</i>	Support in part	As proposed in WIAL's original submission, the addition of a third sub-clause to point (d) of this policy to recognise regionally significant infrastructure is considered appropriate.
Royal Forest and Bird Protection Society	S353/067	Policy P26 Natural processes	Replace P26 with: <i>Use and development will avoid significant adverse effects on natural processes. In relation to adverse effects on natural processes that are not significant:</i> <i>(a) these are avoided in the first instance;</i> <i>(b) where they cannot be avoided, they are remedied;</i> <i>(c) where they cannot be remedied they are mitigated; and</i> <i>(d) residual adverse effects that cannot be mitigated, are offset.</i>	Oppose	WIAL considers that an absolute requirement to avoid significant adverse effects does not provide reasonable scope for merits-based assessment of the resource that is affected, opportunities for remediation or mitigation of significant adverse effects and the realisation of positive community wellbeing outcomes that may arise as a result of resource use.
Hutt City Council	S84/017	Policy P27 High hazard areas	Oppose. Reconsider the use of the term 'avoid' and ensure that it does not unnecessarily and inappropriately constrain activities that result in effects that are significant and/or provide essential services for the health and safety of the community and protection of the environment. Provide a policy framework that provides a pathway for new infrastructure reasonably needed to support existing or planned future development to gain resource consent. This would allow for resource consent for these activities to be granted in appropriate circumstances.	Support in part	As indicated in its original submission WIAL considers that the term "avoid" should be used in conjunction with the terms "remedy or mitigate". WIAL supports Hutt City Council's comments regarding the need to ensure that a consenting pathway for new infrastructure is provided, and notes that a range of locational, operational and functional constraints and requirements may require infrastructure to be developed in hazardous locations.

Wellington Water Limited	S135/062	Policy P27 High hazard areas	Amend. Include protection of regionally significant infrastructure in high hazard areas in the list. Use plain English terms for "fluvial and lacustrine processes" in (e). Delete exception (b). Reconsider the definition of high hazard areas so that it is based on an appropriate assessment of actual hazard. Clarify in what circumstances a risk assessment is required with a consent application, and what that should comprise, ensuring the assessment is only required in appropriate situations and is commensurate to the scale of the activity.	Support in part	WIAL supports the clarification of policy relating to the definition of "high hazard areas" and the circumstances in which risk assessments may be required. Furthermore WIAL supports recognition in the policy of use and development associated with regionally significant infrastructure by way of a new sub-clause.
CentrePort Limited (CentrePort)	S121/053	Policy P28 Hazard mitigation measures	Oppose. Amend Policy P28 as follows: <i>Hard engineering mitigation and protection methods shall be avoided except where</i> <i>(a) there is a functional and operational need; or</i> <i>(b) It is necessary to protect existing and planned future development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor.</i>	Support	As set out in its original submission, WIAL considers that amendment of the policy to encompass new as well as existing development and to recognise functional and operational requirements is appropriate.
Federated Farmers of New Zealand	S352/139	Policy P31 Aquatic ecosystem health and mahinga kai	Amend. Replace "minimise adverse effects" with "avoid, remedy or mitigate significant adverse effects" in conditions (a)-(d) and (f)]. Amend (e): <i>e) avoid, <u>remedy or mitigate</u> creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and...</i>	Support	As set out in WIAL's original submission, the absolute nature of the requirement to reduce adverse effects (to an unspecified level) via the unqualified use of the term "minimise" is opposed and the replacement of the term "minimise" with "avoid, remedy or mitigate" is supported.
NZ Transport Agency	S146/099	Policy P36 Effects on indigenous bird habitat	Support in part. Amend Policy 36: <i>The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be <u>avoided, remedied or mitigated.</u> minimised.</i>	Support in part	As set out in WIAL's original submission, a requirement for the "minimisation" of adverse effects provides no certainty as to the degree of minimisation that may be required. WIAL therefore supports the relief sought by NZTA insofar as it seeks the deletion of the word " <i>minimised</i> " and insertion of reference to the avoidance, remediation or mitigation of adverse effects.

CentrePort Limited (CentrePort)	S121/060	Policy P44 Protection and restoration of sites with significant mana whenua values	Support in part Amend Policy P44 as follows: <i>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected from inappropriate use and development and/or restored.</i>	Support	WIAL supports the amendment of the policy as proposed by CentrePort as the amended version more clearly aligns with the requirements of s.6(f) of the RMA.
NZ Transport Agency	S146/108	Policy P48 Protection of outstanding natural features and landscapes	Amend Policy 48: <i>The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</i> <i>(a) avoiding adverse effects of inappropriate activities on outstanding natural features and landscapes, and</i> <i>(b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.</i>	Support in part	As noted in its original submission WIAL considers that ONFs and ONLs should be identified by a method in the Proposed Plan (e.g. mapping). However WIAL also supports the management framework proposed by the NZTA insofar as it seeks to achieve consistency with the framework set out at s.6(a) and (b) of the RMA.
Meridian Energy Limited	S82/021	Policy P49 Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes	Oppose. Delete from Policy P49 the reference to 'special amenity landscapes': <i>Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes</i> <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed...</i>	Support	WIAL supports the deletion of reference to special amenity areas from this policy as set out by Meridian Energy. As noted in WIAL's further submission on Objective O38 (above), it is noted that the Proposed Plan does not identify the location of any Special Amenity Landscapes and is therefore inefficient for Plan users. Furthermore, WIAL considers that the management of Special Amenity Landscapes is best achieved via the District Plan and does not need to be duplicated by the Regional Plan.
CentrePort Limited (CentrePort)	S121/066 And S121/067	Policy P51 Significant surf breaks	Clarify the nature of potential adverse effects and measurement of these and how the policy would be applied in practice. Amend Policy P51 as follows: <i>Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by minimising avoiding, remedying or mitigating the adverse effects on: ...</i>	Support in part	Without limiting WIAL's original submission on this policy (seeking its deletion), WIAL agrees that further clarification about how this policy is intended to be applied in practice would be useful.
Royal Forest and Bird Protection Society	S353/086	Policy P51 Significant surf breaks	Support. Retain.	Oppose	For the reasons set out in its original submission WIAL does not consider this policy to be appropriate and seeks its deletion.

NZ Transport Agency	S146/110	Policy P52 Managing ambient air quality	Support in part Retain Policy 52: <i>Ambient air quality shall be managed to protect human health and safety by:</i> (a) (c) <i>managing the discharge of other contaminants so that the adverse effects on human health, including cumulative adverse effects, are minimised <u>avoided, remedied or mitigated</u> .</i>	Support	WIAL considers it appropriate to provide clear guidance as to the management of effects on air quality. The use of the term “minimised” as notified creates uncertainty and could be interpreted as an absolute requirement for improvements even where industry best practice is adopted.
NZ Transport Agency	S146/117	Policy P72 Zone of reasonable mixing	Support in part Amend Policy 72 and consider whether policy 72 is intended to apply to coastal waters or whether the definition of “zone of reasonable mixing” requires amendment / deletion. <i>Where not otherwise permitted by a rule, the zone of reasonable mixing shall be minimised and will be determined on a case-by-case basis. In determining the zone of reasonable mixing, particular regard shall be given to. . . .</i>	Support	WIAL considers that as notified the policy is ambiguous with regards to the degree to which minimisation is to be achieved. Furthermore as noted in WIAL’s further submission on the definition of the term “zone of reasonable mixing” (above), clarity is required around how this term is to be applied to discharges in the coastal marine area.
The Oil Companies	S55/031	Policy P90 Discharges of hazardous substances	Oppose. Modify Policy 90 as follows: <i>The <u>risk associated with the discharge of a hazardous substance to land (including accidental discharges), fresh water, including groundwater, or coastal water from the use, and storage and transport of hazardous substances shall be managed by the use of good management practices.</u></i>	Support	WIAL considers that the relief sought by the Oil Companies is appropriate because it seeks to manage the risks associated with the storage and use of hazardous substances while recognising that the transportation of hazardous substances is subject to other regulations (HSNO and Land Transport Acts).
Federated Farmers of New Zealand	S352/172	Policy P97 Managing sediment discharges	Amend. <i>The discharge of sediment to surface water bodies and coastal water from earthworks activities <u>associated with major infrastructure and subdivision developments shall be minimised managed by ...</u></i>	Oppose	WIAL considers that it is inappropriate to apply policy regarding sediment discharges to only major infrastructure and subdivision developments.
NZ Transport Agency	S146/122	Policy P97 Managing sediment discharges	Support in part. Amend Policy 97: <i>The discharge of sediment to surface water bodies and coastal water from earthworks activities shall be minimised <u>avoided, remedied or mitigated to the extent practicable by using a source control approach. Good management practices shall be used in site erosion and sediment control design operation and maintenance. in order to minimise the adverse effects of sediment-laden stormwater discharges. Effects that cannot be minimised may be appropriately offset.</u></i>	Support	WIAL supports the replacement of the term “ <i>minimised</i> ” with an avoidance-remediation-mitigation approach, given the absolute nature and uncertainty of the term “ <i>minimised</i> ”.
NZ Transport Agency	S146/126	Policy P126 Site dewatering	Support in part. Amend Policy 126 <i>Localised land subsidence or adverse effects of dewatering on existing groundwater users or the flows, levels or quality of surface water shall be minimised <u>be avoided to the extent practicable.</u></i>	Support	WIAL supports the proposed amendment to the policy. However WIAL considers that scope should also be provided via this policy to also remedy or mitigate adverse effects should that be the necessary response in the given circumstance.

Chorus New Zealand Limited	S144/019	Policy P132 Functional need and efficient use	Amend Policy 132 as follows: Use and development in the coastal marine area shall... <u>(h) recognise the location, operation and function of existing regionally significant infrastructure.</u>	Support	As set out in WIAL's original submission, it is considered necessary to amend this policy to ensure that the efficient use and development of infrastructure in the CMA is enabled. To this end, WIAL supports the submission of Chorus New Zealand Ltd.
CentrePort Limited (CentrePort)	S121/079	Policy P137 Airport height restriction areas	Support in part. CentrePort has no objection in principle to the policy but has concerns with the lack of clarity in Map 50 and the related GIS information on http://mapping.gw.govt.nz . There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and potentially affected by the height restrictions.	Support	WIAL agrees that it is appropriate to ensure the community is well informed as to the extent and application of the obstacle limitation surfaces for the Airport. This may need to be achieved through improvements in the current mapping presentation.
NZ Transport Agency	S146/131	Policy P139 Seawalls	Support in part. Amend Policy 139: <i>The construction of a new seawall is inappropriate except where the seawall is required to protect:</i> <i>(a) existing, or upgrades to, or replacement of infrastructure, or</i> <i>(b) new regionally significant infrastructure, and in respect of (a) and (b):</i> <i>(c) the activity represents the best practicable option there is no reasonable or practicable alternative means, and</i> <i>(d) suitably located, designed and certified by a qualified, professional engineer, and</i> <i>(e) designed to incorporate the use of soft engineering options where appropriate.</i>	Support	WIAL considers that it is appropriate to provide for seawalls that are required to protect replacement infrastructure. WIAL also notes the seemingly superfluous nature of sub-clause (e) given the policy relates to hard engineering methods. Therefore in addition to the points made in WIAL's original submission regarding this policy, WIAL supports the submission of the NZTA.
Royal Forest and Bird Protection Society	S353/128	Policy P139 Seawalls	Support in part In (e) replace "appropriate" with "possible"	Oppose	WIAL considers that infrastructure development requires consideration of a range of possible development options and selection of that which is overall most suitable to achieve the various project objectives. In WIAL's view, it will be ineffective in terms of project management and development feasibility and longevity to require that a particular technique be adopted above others simply because it is possible.
Rangitane o Wairarapa Inc.	S279/163	Policy P145 Reclamation, drainage and destruction	Amend the policy and associated rules to require that any reclamation, drainage or destruction on the coastal marine areas shall only occur if adverse effects on natural character, water quality, aquatic ecosystems and identified significant sites in Schedules A-F are avoided.	Oppose in part	In WIAL's view, it is not appropriate to require the avoidance of adverse effects on the wide range of resource values identified in this submission in all instances. It is highly unlikely that activities involving reclamation, drainage and destruction in the CMA could avoid all adverse effects, but that is not to say that these effects cannot otherwise be remedied or mitigated.

					Therefore the policy as amended by Rangitane o Wairarapa Inc. would act as a prohibition on any reclamation, drainage or destruction in the CMA. A prohibition of this nature would likely have significant implications for infrastructure providers and consequential adverse implications for the wellbeing of the community.
CentrePort Limited (CentrePort)	S121/085	Policy P151 Underwater noise	Support. Retain Policy P151 in its current form.	Support	As set out in WIAL's original submission it is considered appropriate to provide for the assessment of underwater noise on a case-by-case basis, because the absence of a standardised approach precludes the possibility of applying specific noise limits.
CHAPTER 5 RULES					
Wellington Water Limited	S135/138	Rule R42 Minor discharges - permitted activity	Amend. Provide a special category of permitted activity for regionally significant infrastructure, or have consents trigger to controlled activity status.	Support	WIAL considers that it is appropriate to provide for the efficient development and upgrade of regionally significant infrastructure to provide a permitted pathway for discharges associated with site dewatering for regionally significant infrastructure. For such activities that do not satisfy the standards for a permitted activity status WIAL considers that a default controlled status provides an appropriate level of control.
Masterton District Council	S367/131	Rule R52: Stormwater from large sites - restricted discretionary activity	Amend the heading to Rule R52 to " <i>Stormwater from a port, airport, or state highway</i> " to appropriately reflect the intent and scope of the rule.	Support	In addition to the relief sought in its original submission, WIAL considers the amendment proposed by Masterton District Council improves the clarity of the Proposed Rule.
Greater Wellington Regional Council	S133/010	Rule R57 Discharge of hazardous substances - non-complying activity	Amend to reflect the correct rule structure of the proposed Plan by removing reference to Rules R87, R88, and R93 and including reference to Rule R56.	Support	Rules 87, 88 and 93 do not correlate to this rule R57 and therefore the incorrect references require deletion.
Rangitane o Wairarapa Inc	S279/213	5.7 Coastal management rules	Amend. The rules in this section that require discretionary or non-complying consent for activities within sites identified in Schedules A to F are supported. Where rules do not require discretionary or non-complying consent for activities within sites in those schedules, rules should be amended or added to do so. Rules should be amended and added to manage the actual and potential effects of oil and gas exploration and extraction, and mining of minerals and other materials from the coastal marine area, through resource consents of a status no lower than restricted discretionary activity status.	Oppose in part	WIAL does not consider it appropriate to indiscriminately apply a discretionary or non-complying activity status to activities located within the areas identified within Schedules A to F. In WIAL's view, the rule framework needs to be structured in a manner that enables assessment that is commensurate with the nature and scale of the proposed activity.

NZ Transport Agency	S146/192	5.7.2 Coastal management general conditions	<p>Amend conditions under 5.7.2</p> <p><i>Coastal management general conditions</i></p> <p><i>Coastal management general conditions for activities in the coastal marine area that apply when specified in a rule.</i></p> <p><i>Disturbance</i></p> <p>(a) <i>the coastal marine area, including river mouths shall not be disturbed to an extent greater than that required to undertake the activity, and</i></p> <p>(b) <i>any disturbance of the foreshore or seabed is removed in last for no longer than 48 hours, and</i></p> <p>(c) <i>there is no disturbance of the foreshore or seabed to a depth greater than 0.5m below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and</i></p> <p>(d) <i>all machinery, equipment and materials used for the activity shall be removed from the foreshore or seabed at the completion of the activity, and</i></p> <p><i>Discharges</i></p> <p>(e) There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan, and</p> <p>(f) The discharge of sediment to water from an activity in, on, over or under the foreshore or seabed in the coastal marine area shall meet the following:</p> <p>(i) the release of sediment associated with the activity shall not be undertaken for more than five consecutive days, and for more than 12 hours per day, and</p> <p>(ii) it shall not, after reasonable mixing, cause any conspicuous change in the colour of the water in the receiving water or any change in horizontal visibility greater than 30% more than 24 hours after the completion of the activity, and</p>	Support	WIAL supports the amendments sought by the NZTA insofar as they seek to reduce duplication between the Coastal General Rules and other rules in the Proposed Plan (e.g. relating to discharges ⁴).
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⁴ For example Rules R42 and R43, and Rules R55 – R57.

NZ Transport Agency	S146/199	Rule R155 New temporary structures - restricted discretionary activity	Support in part. Amend Rule 155 to include a new matter for discretion: <u>11. whether the structure is associated with the use, operation, maintenance, upgrading or development of regionally significant infrastructure.</u>	Support	It is appropriate, in WIAL's view, to incorporate consideration of the need for new temporary structures associated with regionally significant infrastructure into the matters of discretion applying to this rule.
Chorus New Zealand Limited	S144/030	Rule R161 New structures, additions or alterations to structures outside sites of significance - discretionary activity	Amend Rule R161 to clearly define thresholds for minor additions or alterations to structures.	Support	Given Rule R161 includes reference to "additions or alterations", WIAL considers it would improve the usability of the Proposed Plan if R161 were amended to clarify the relationship between R161 and the rules relating to additions and alterations (e.g. Rules R150 and R151). This will assist Plan users to comprehend the linkages between rules.
NZ Transport Agency	S146/202	Rule R162 New structures, additions or alterations to structures inside sites of significance - non-complying activity	Retain Rule 162, subject to providing for a new rule managing new structures, additions or alterations to a structure and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area where associated with regionally significant infrastructure.	Support	WIAL considers that it would be appropriate to include a stand-alone rule relating to regionally significant infrastructure located in the nominated sites of significance, to enable clear and effective resource management.
NZ Transport Agency	S146/204	Rule R164 Replacement of structures - restricted discretionary activity	Support in part, amend the Matters for discretion as follows: <u>8. whether the structure is associated with the use, operation, maintenance, upgrading or development of regionally significant infrastructure</u>	Support	It is appropriate, in WIAL's view, to incorporate consideration of the need for new temporary structures associated with regionally significant infrastructure into the matters of discretion applying to this rule.
NZ Transport Agency	S146/213	5.7.12 General disturbance activities	Add a new rule which specifically provides for disturbance or damage of the foreshore or seabed inside a site of significance as a discretionary activity where there is a functional and operational need.	Support in part	WIAL notes NZTA's submission regarding the insertion of a new rule to provide for disturbance or damage of the foreshore or seabed inside a site of significance as a discretionary activity where there is a functional and operational need. In its original submission WIAL identified the overlap between rule R194 and R204, and noted that R204 appears to amply manage the issues covered by R194. WIAL therefore sought deletion of R194. In the event that the relief sought by WIAL in its original submission is not provided, WIAL considers that it would be appropriate to adopt the relief as sought by the NZTA with regards to section 5.7.12 of the Proposed Plan. This will ensure that there is a clear correlation (in terms of activity status) between the (very similar/identical) matters managed by Rules R1984 and R204.

NZ Transport Agency	S146/215	Rule R197 Motor vehicles for certain purposes - permitted activity	Support in part. Amend Rule 197: <i>The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes:</i> <i>(d) the <u>operation, maintenance, repair, upgrade and development</u> operation of regionally significant infrastructure is a permitted activity, provided the following conditions are met:</i> <i>(e) the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and</i> <i>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</i>	Support in part	In addition to the relief sought in its original submission, WIAL supports the proposed insertion of the term “ <i>repair</i> ” at sub-clause (d) of the rule.
Royal Forest and Bird Protection Society	S353/167	Rule R207 Deposition for beach renourishment - controlled activity	Support in part. Delete matter of control (5) and make the activity in sites identified in (5) a restricted discretionary activity with discretion reserved over whether the activity should be undertaken within that site.	Oppose	As set out in WIAL’s original submission, WIAL considers that all references in the Proposed Plan to Schedule K (surf breaks) and Map 18 should be deleted from the Proposed Plan. WIAL also notes that its original submission raised concerns with regards to Schedule F2c (birds-coastal). On this basis WIAL opposes the relief sought by the Royal Forest and Bird Protection Society relating to Rule R207.
Minister of Conservation	S75/184	Rule R216 Destruction - non-complying activity	Amend. Clarify relationship for destruction between these sets of rules.	Support in part	Without limiting WIAL’s original submission on this policy (which sought the deletion or amendment of this rule), WIAL supports the Minister’s submission. It is necessary to clarify the relationship between Rule 216 and other rules in the Proposed Plan which also provide for the destruction of the foreshore or seabed.
NZ Transport Agency	S146/224	Rule R216 Destruction - non-complying activity	Provide clarity on what destruction means in the context of the Plan.	Support	Without limiting WIAL’s original submission on this policy (which sought the deletion or amendment of this rule), WIAL considers that the relationship between R216 and other rules relating to damage, disturbance, deposition, contaminant discharges and diversion in the CMA require review and amendment to ensure that the rules do not apply multiple/differing activity status to the same activity.
MAPS AND SCHEDULES					
Hutt City Council	S84/010	Schedule F2c Habitats for indigenous birds in the coastal marine area	Use a scientifically robust method for identification of areas of significance to birds that recognises the actual value of the sites. ...The level of significance that needs to be met to be included in Schedule F2c (Habitats for indigenous birds in the coastal marine area) is considered too low. As a	Support in part	WIAL generally supports the relief sought by the Hutt City Council without derogating from the relief sought in WIAL’s original submission in relation to Schedule F2c and Map 18. As set out in WIAL’s original submission, the application and extent of Schedule F2c particularly around the Airport coastal margin is not considered to be appropriate.

			<p>consequence this schedule includes very large areas including all of Wellington Harbour.</p> <p>Identification as an area significant to birds appears to be solely based on bird sightings at a site rather than the actual value of the site to birds. The number of bird sightings considered likely to be affected by not just the number of birds visiting a site but also the accessibility and proximity of urban areas to these sites. That is, more remote areas may have lower bird sightings due to less people present to witness bird visitation. Little weight appears to be given to the actual use of a site for birds, such as nesting site or part of a migration route.</p> <p>...</p> <p>This provision is unduly restrictive and does not give sufficient consideration to the individual merits of each case.</p>		
CentrePort Limited (CentrePort)	S121/149	Map 50 Wellington International Airport height restrictions	<p>Amend.</p> <p>CentrePort has no objection in principle but has concerns with the lack of clarity in Map 50 and the related GIS information on http://mapping.gw.govt.nz.</p> <p>There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and potentially affected by the height restrictions.</p>	Support	WIAL agrees that it is appropriate to ensure the community is well informed as to the extent and application of the obstacle limitation surfaces for the Airport. This may need to be achieved through improvements in the current mapping presentation.

ATTACHMENT B

SUBMITTER	SUBMITTER ID.	PROVISION	RELIEF SOUGHT	WIAL POSITION	WIAL REASONS
Wellington International Airport Limited	S282/062	Rule R159 Structures in airport height restriction areas or navigation protection areas - prohibited activity	Amend. Retain.	Support in part	For clarification WIAL notes an error in the Summary of Decisions Requested relating to the relief sought by WIAL on Rule R159. The Summary of Decisions Requested indicates that WIAL seeks amendment of this rule. This is an error. WIAL's original submission supported Rule R159 and sought its retention as notified. WIAL did not seek amendment of the rule.
Wellington International Airport Limited	Not identified in the <i>Summary of Decisions Requested</i> .	Map 18 Habitats for indigenous birds in the coastal marine area (Schedule F2c)	WIAL notes that the relief sought in WIAL's original submission regarding Map 18 is not listed in the Summary of Decisions Requested.	As per original submission	WIAL reiterates the relief sought in relation to Map 18 that is set out in its original submission.
Wellington International Airport Limited	Not identified in the <i>Summary of Decisions Requested</i> .	Map 24 Significant surf breaks	WIAL notes that the relief sought in WIAL's original submission regarding Map 24 is not listed in the Summary of Decisions Requested.	As per original submission	WIAL reiterates the relief sought in relation to Map 24 that is set out in its original submission.