

**IN THE MATTER**

of the Resource  
Management Act 1991

**AND**

**IN THE MATTER**

of Submissions and Further  
Submissions on the  
Proposed Wellington City  
District Plan

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**Minute 57**

**Wrap-Up Hearing Arrangements**

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## Minute 57 – Wrap Up Hearing Arrangements

1. In Minute 50, we invited feedback from parties as to what matters they considered might usefully be addressed in the wrap-up hearing.
2. We have had two responses.
3. The first was from Meridian Energy Ltd, suggesting that the inter-relationship between the Renewable Electricity Generation (REG) Chapter and the ECO Chapter would merit further consideration in the wrap-up hearing. We agree, but consider that this is part of a more wide-ranging issue that played out over a number of hearing streams as Reporting Officers' thinking clarified as to the role of the REG Chapter. We therefore direct that the Section 42A Reporting Officer in the Wrap-Up Hearing address that inter-relationship more broadly, to ensure that it is clear where and how REG activities are managed in the Plan.
4. Given that direction, we do not propose to address in any detail Ms Foster's evidence on these matters circulated as part of Stream 11, reserving those matters for the wrap-up hearing.
5. The second piece of feedback we received was from WIAL, which suggested that two matters be assigned for hearing at the wrap-up hearing:
  - (a) WIAL's request for a revised definition of 'upgrading'<sup>1</sup>; and
  - (b) Its submission<sup>2</sup> seeking that:

“...a bespoke framework should be established for [refuse dumps and landfills; sewage treatment and disposal (outdoor); certain agricultural activities (cattle feed lots, pig farming); fish processing; artificial and natural lakes/waterbodies; and abattoirs and freezing works] where located within a fixed distance of the Airport to ensure a consenting pathway is available that requires appropriate consideration of potential increase in bird strike risk posed by the aforementioned activities. This could be achieved by a narrowly framed restricted discretionary activity that restricts discretion to the potential effects of aircraft safety, including the potential risk of bird strike.”

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<sup>1</sup> Submission #406.46

<sup>2</sup> Submission #406.11

6. We agree that neither of these submissions has been considered to date although Ms O’Sullivan did draw it to our attention to the latter in her Stream 9 evidence.
7. Accordingly, we direct that these matters be scheduled for hearing at the wrap-up hearing.
8. To enable the wrap-up Reporting Officer to prepare their Section 42A Report, we consider that WIAL needs to provide more detail as to the nature of the bespoke framework it has in mind, and the area over which it would apply.
9. We therefore direct that by close of Wednesday, 18 September, WIAL provide:
  - (a) The wording of the provisions that WIAL seeks in order to give effect to its relief;
  - (b) A map of the area that would be subjected to the proposed bespoke framework;
  - (c) A Section 32AA evaluation of its relief; and
  - (d) (If required) an evaluation under Section 77J of the Act.
10. Our review of the evidence recirculated for the Stream 11 hearing highlights another issue that is more appropriately dealt with in the wrap-up hearing. As Ms Whitney has pointed out in her evidence for Transpower, the fact that only the ECO Chapter and the INF-ECO Sub-Chapter have been scheduled for hearing in Stream 11 means that the provisions governing the inter-relationship between Indigenous Biodiversity and the National Grid have been left unresolved. The Reporting Officer in Hearing Stream 9 recommended that all provisions related to the National Grid be in a new INF-NG Sub-Chapter. Assuming we agree with that recommendation, we need to consider what provisions that sub-chapter has in relation to indigenous biodiversity, taking account of the fact that the NPSIB does not apply to the National Grid. We consider that the best way for this to be addressed is in the wrap-up hearing. As with Meridian’s issues, therefore, we do not intend to examine those issues in detail in Stream 11.

11. There are three other issues that we have identified that would merit consideration in the wrap-up hearing. The first relates to submissions of Taranaki Whānui<sup>3</sup> expressing concern about the effect of overlays on potential use of the former Wellington Prison site on Watts Peninsula. It seemed to us that by compartmentalising consideration of the Plan into chapters, each Reporting Officer had considered only the effect of the overlay they were addressing, rather than its effect in combination with all other overlays. We think that Taranaki Whānui should have the opportunity to put its case in the wrap-up hearing on that broader issue (along with the further submitters who opposed that relief).
12. The second submission we think that deserves reconsideration is that of Airways Corporation of New Zealand<sup>4</sup> seeking a new overlay within a 500 metre radius around the radar installation the subject of Designation ACNZ3 (Hawkins Hill). In Stream 10, the Reporting Officer considered this submission was seeking an enlargement of the designation (and recommended that it be refused).
13. We consider, however, that the submission can fairly be read as seeking an overlay around the designated area that is not itself designated, akin to the relief WIAL has sought, as above. We therefore direct that that issue also be scheduled for in the wrap-up hearing.
14. Another theme that we heard over a number of hearing streams relates to the status of the seawalls bounding the west and south sides of Wellington Airport, and the Plan provisions that relate to their maintenance and upgrading. By the end of Stream 9, the Reporting Officer agreed with WIAL that these matters should be addressed in the INF Chapter. A check needs to be made, however, as to whether that result is reflected in the NOSZ Chapter and the Coastal Environment Chapter, in particular. We direct that this issue also be addressed in the wrap-up hearing.
15. For the avoidance of doubt, we also anticipate that as part of the wrap-up Section 42A Report, the Reporting Officer will highlight inconsistencies the Council team has identified in the Plan as a whole, cross referencing that has

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<sup>3</sup> Submission #389.12-13

<sup>4</sup> Submission #100.1

been overtaken by numbering or name changes and other previously unidentified errors. We give the Council general leave to raise such matters.

16. Lastly, we note that if the Stream 11 hearing throws up any additional issues that we consider would usefully be canvassed in the wrap-up hearing, we will make further directions as soon as possible following conclusion of the Stream 11 hearing.

A handwritten signature in blue ink, appearing to read 'T. Robinson', with a large, stylized flourish extending downwards.

**Trevor Robinson**  
Chair  
For the Wellington City Proposed District Plan Hearings Panel  
**Dated 9 September 2024**