

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

**IN THE MATTER OF** of the Resource Management Act 1991

**AND**

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

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

15 APRIL 2025

Hearing Stream 2

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## QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Kirsty O'Sullivan. I am a Partner at Mitchell Daysh Limited.
- 1.2 I have over 15 years' experience in resource planning and environmental management consultancy. I hold a Bachelor of Science in Physical Geography (minor in Geographic Information Systems) and a postgraduate Masters degree in Planning.
- 1.3 While this is not an Environment Court hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I agree to comply with the Code and I am satisfied that the matters which I address in my evidence are within my field of expertise.
- 1.4 As noted in my Evidence in Chief, Wellington International Airport comprises regionally and nationally significant infrastructure which plays a critical role in providing for the economic and social wellbeing of the Wellington Region.
- 1.5 The importance of nationally and regionally significant infrastructure, and the need to provide for its operational and functional requirements is recognised throughout higher order documents prepared under the Resource Management Act 1991 ("**RMA**"), including:
  - 1.5.0 The New Zealand Coastal Policy Statement ("**NZCPS**");
  - 1.5.1 The National Policy Statement for Freshwater Management ("**NPSFM**");
  - 1.5.2 The National Policy Statement for Urban Development ("**NPSUD**");
  - 1.5.3 The Operative Greater Wellington Regional Policy Statement ("**RPS**"); and
  - 1.5.4 Plan Change 1 (Decisions Version) of the RPS.
- 1.6 Given the higher order directives within these documents, it is imperative that Plan Change 1 to the Greater Wellington Natural Resources Plan also recognises and provides for nationally and regionally significant infrastructure, such as the Airport, in a way that is consistent with policy directives of those documents.

### **Plan Change 1 Objectives and Policies**

1.7 While I support a number of the Reporting Officer’s recommendations both in the initial section 42A report and the further amendments made through rebuttal evidence, there are residual points of difference which I set out briefly, for the assistance of the Panel, in **Attachment 1**.

1.8 In summary, these relate to:

1.8.0 Within Objective WH.O1:

- The location of the “to the extent practicable” qualifier within the first wai ora state bullet point.
- My recommended reference to regionally significant infrastructure within the last wai ora state bullet point; and,
- My recommended reference to Notices of Requirement within the note.

1.8.1 Within Objectives WH.O2 and WH.O3:

- Consistent use of terms and phrases between Objectives WH.O1, O2 and O3.

1.9 I note that while I understand there have been further amendments recommended by the Reporting Officer throughout the course of the hearings last week, these were only brought to my attention yesterday. I have therefore not addressed them in this summary statement.

### **Rivers Map 79**

1.10 In my Evidence in Chief, I raised some concerns about the “rivers” shown in Map 79. These appeared to be an error insofar as the Airport’s landholdings were concerned, as:

1.10.0 The Airport land comprises of reclaimed and in some areas, impervious surfaces where no rivers are present; and,

1.10.1 The mapped rivers are not reflective of Wellington International Airport Limited’s stormwater management system.

- 1.11 No amendments have been recommended to Map 79 by the Reporting Officer, citing (with reference to the response Transpower’s similar submission point) that the river layer is not spatially accurate to the land parcel level and so a degree of pragmatism is used when applying rules.
- 1.12 In my view, this raises the very issue with the proposed mapping being included in Plan Change 1 to the Greater Wellington Natural Resources Plan. In terms of section 32 of the RMA, I am unsure how the evaluation has concluded that Map 79 is the most appropriate way to achieve the objectives of the Regional Plan, or that the maps are efficient and effective.
- 1.13 While I appreciate there could be perverse outcomes if the entire map layer was to be deleted, a simple review of the aerial photographs or a site visit would clearly confirm that there are no rivers present within the Airport’s landholdings. I therefore maintain that it is appropriate for the mapped rivers within Wellington International Airport Limited’s landholdings to be deleted as their inclusion has not been adequately justified in terms of section 32 of the RMA, and the rivers simply are not present.

**Kirsty O’Sullivan**

**15 April 2025**

Changes Recommended
New text recommended to be added to the Regional Plan as recommended by section 42A report shown as <u>red underline</u> and recommended to be deleted shown as <del>red strikethrough</del> .
New text recommended to be added to the Regional Plan as recommended by GWRC section 42A Reporting Officer rebuttal shown as <u>blue underline</u> and recommended to be deleted shown as <del>blue strikethrough</del> .
New text recommended to be added to the Regional Plan as recommended in the Evidence in Chief of K O’Sullivan shown as <u>purple underline</u> and recommended to be deleted shown as <del>purple strikethrough</del> .

Recommended amendments to provision	Comments
<p><b>Objective WH.O1</b></p> <p>The health of <del>all freshwater bodies rivers and lakes and their margins, natural wetlands, groundwater</del> and the coastal marine area within Whaitua Te Whanganui-a-Tara is progressively improved and is wai ora by 2100.</p> <p><b>Note</b></p> <p>In the wai ora state:</p> <p>&gt; Āhua (<del>natural character-natural form and character</del>) is restored <u>where deteriorated to the extent practicable</u> and <u>freshwater bodies</u> exhibit their natural quality, rhythms, range of flows, form, hydrology and character <del>to the extent practicable, and</del></p> <p>&gt; <del>All freshwater bodies r</del><u>Rivers and lakes</u> have planted margins, <u>where applicable, and</u></p>	<ul style="list-style-type: none"> <li>• Āhua: On further reflection, it is not clear whether the recommended inclusion of the text “to the extent practicable” applies generally or just to freshwater bodies. I therefore recommend relocating the qualifier to earlier in the bullet point to better address the issues raised in my Evidence in Chief (“<b>EIC</b>”).</li> <li>• I support the section 42A Reporting Officer’s recommended amendment to bullet point three, for the reasons set out in my EIC. On further reflection, I consider there could be merit qualifying this if a scenario arises whereby, they are present, but may not naturally thrive in that environment.</li> <li>• Despite the section 42A Reporting Officer not supporting my recommended changes to the last bullet point, for the reasons set out in my EIC, I consider these amendments are necessary to ensure recognition of the second and third priorities of Te Mana o Te Wai and</li> </ul>

Recommended amendments to provision	Comments
<p>&gt; <del>All freshwater bodies</del> Rivers and lakes and their margins, natural wetlands, groundwater and coastal waters have healthy functioning ecosystems and their water conditions and habitat support the presence, abundance, survival and recovery of At-risk and Threatened species and taonga species and where naturally present in those environments, and</p> <p>&gt; Mahinga kai and kaimoana species are healthy, plentiful enough for long term harvest and are safe to harvest and eat or use, including for manuhiri and to exercise manaakitanga, and</p> <p>&gt; Mana whenua are able to undertake customary practices at a range of places throughout the catchment, and</p> <p>&gt; <del>Water is able to be used</del> People and communities can provide for social and economic use benefits, including for activities undertaken by Regionally Significant Infrastructure, provided that the health and wellbeing of the waterbodies, freshwater ecosystems and coastal waters is not compromised.</p> <p><u>Note: Objectives WH.O2 to WH.O9 set out what is needed to achieve progressive implementation of this long-term objective up to 2040. Therefore, resource consent applicants applications and Notices of Requirement do not need to demonstrate their proposed activities alignment with this objective.</u></p>	<p>Objective TWT of the Decisions version of the RPS. The specific recognition of regionally significant infrastructure also aligns with relevant provisions of the RPS and Decisions version RPS which recognise and provide for regionally significant infrastructure. Also aligns with the NZCPS policy directives within Policy 6.</p> <ul style="list-style-type: none"> <li>• With respect to this bullet point, it is not clear if the term “use” also contemplates the assimilative capacity of the water for discharges. As discharges support social and economic use benefits, particularly for regionally significant infrastructure, it is important this is captured within the bullet point.</li> <li>• For consistency, the language within the last wai ora bullet point should be consistent with WH.O2.</li> <li>• With respect to my recommended inclusion of a reference to “Notices of Requirement” within the note, the section 42A Reporting Officer does not consider this is necessary as Notices of Requirement apply to land use considerations under district plans, not regional plans. While I acknowledge this point, I note that Notices of Requirement can relate to the land use component of activities that are otherwise managed by Regional Councils. For example, a Notice of Requirement that makes provision for stormwater or wastewater infrastructure. I also note that Plan Change 1 is proposing new provisions around “unplanned greenfield development areas”. Without changes to the definition and land use management approach set out in these provisions (noting it is not</li> </ul>

Recommended amendments to provision	Comments
	<p>clear if designations are captured by the term “unplanned greenfield development areas”), I can foresee a future scenario whereby regional plan provisions are a relevant consideration for Notices of Requirement and District Council consent considerations. I therefore maintain that this exclusion is necessary.</p>
<p><b>Objective WH.O2</b></p> <p>The health and wellbeing of Te Whanganui-a-Tara’s groundwater, rivers and natural wetlands and their margins are on a trajectory of <del>measurable</del> improvement towards wai ora, such that by 2040:</p> <p>(a) <del>Water quality, habitats, aquatic life, water quantity and ecological processes are at a level where the state of aquatic life ecosystem health is maintained, or meaningful progress has been made towards improvement where degraded in accordance with WH.09, and</del></p> <p>(b) <del>natural form and character is maintained, or where degraded, improvement has been made to the hydrology of rivers, and erosion processes, including bank stability, are improved and sources of sediment are reduced to a more natural level, and the extent and condition of indigenous riparian vegetation is increased and improved, supporting ecosystem health, and the extent and condition of indigenous riparian vegetation is increased and improved, and</del></p> <p>(c) <del>the extent and condition of indigenous riparian vegetation is increased and improved, and</del></p> <p>(d) <del>the diversity, abundance, composition, structure and condition of mahinga kai species and communities are increased, and</del></p>	<ul style="list-style-type: none"> <li>Similar to WH.O1, with respect to (i), it is not clear if the term “use” also contemplates the assimilative capacity of the water for discharges. As discharges support social and economic use benefits, particularly for regionally significant infrastructure, it is important this is captured within the bullet point.</li> </ul>

Recommended amendments to provision	Comments
<p>(e) <del>huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and</del></p> <p>(f) mana whenua can <b>more</b> safely connect with freshwater and enjoy a wider range of customary and cultural practices, including mahinga kai gathering, and</p> <p>(g) mana whenua and communities can <b>more</b> safely connect with freshwater and enjoy a wider range of activities, including swimming <b>and fishing, kayaking and rafting food gathering, and</b></p> <p>(h) freshwater <del>of a suitable quality</del> is available for the health needs of people, and</p> <p>(i) <del>people and communities can provide for social and economic use benefits, provided that the health and well-being of waterbodies and ecosystems is not compromised</del></p>	
<p><b>Objective WH.O3</b></p> <p><del>The health and wellbeing of c</del>oastal water quality, <del>and the health and wellbeing of</del> ecosystems and habitats in Te Whanganui-a-Tara is maintained, or improved <b>where deteriorated</b>, to achieve the coastal water objectives set out in Table 8.1 <b>and 8.1A</b>, and by 2040:</p> <p>(a) sediment inputs into Mākara Estuary are reduced, and</p> <p>(b) <del>high contaminant concentrations, including around discharge points, are reduced, and</del></p>	<ul style="list-style-type: none"> <li>• The section 42A reporting officer does not recommend supporting this amendment.</li> <li>• For consistency, the language within limb (j) should be consistent with WH.O2.</li> <li>• Similar to WH.O1, with respect to (j), it is not clear if the term “use” also contemplates the assimilative capacity of the water for discharges. As discharges support social and economic use benefits, particularly for regionally significant infrastructure, it is important this is captured within the bullet point.</li> </ul>

Recommended amendments to provision	Comments
(c) <u>diversity, abundance, composition, structure and condition of mahinga kai species and communities has increased, and</u>	
(d) <u>huanga of mahinga kai and Māori customary use for locations identified in Schedule B (Ngā Taonga Nui a Kiwa) are maintained or improved, and</u>	
(e) <u>the extent and condition of estuarine seagrass, saltmarsh and brackish water submerged macrophytes are increased and improved to support abundant and diverse biota, and</u>	
(f) <u>coastal areas support healthy functioning ecosystems, and their water conditions and habitats support the presence, abundance, survival, and recovery of At-risk and Threatened species and taonga species, and</u>	
<del>(g) <u>mana whenua can safely connect with the coastal marine area and enjoy a wider range of customary and cultural practices, including mahinga kai gathering and tauranga waka, and</u></del>	
(h) <u>mana whenua and communities can safely <del>connect with use</del> coastal marine area and enjoy a wider range of activities, including food gathering, <del>and</del> swimming, paddling, <b>Māori customary use and tikanga, and</b></u>	
(i) <u>for coastal areas not covered by Table 8.1, in addition to relevant matters in (a)-(h) above:</u>	
<ul style="list-style-type: none"> <li>• <u>fish and benthic invertebrate communities are resilient and their structure, composition and diversity are maintained, and</u></li> </ul>	
<ul style="list-style-type: none"> <li>• <u>there is no increase in the frequency of nuisance macroalgal blooms, and</u></li> </ul>	

Recommended amendments to provision	Comments
<ul style="list-style-type: none"><li data-bbox="264 280 1151 395">• <a href="#">phytoplankton levels are maintained and monitored in applicable areas of point source discharges and locations that experience riverine mouth closures with limited water mixing</a></li><li data-bbox="203 424 1151 539">(j) <a href="#">people and communities can provide for social and economic use benefits, provided that the health and well-being of waterbodies and ecosystems is not compromised</a></li></ul>	

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