

MATTERS RAISED IN WELLINGTON WATER SUBMISSIONS THAT ARE NO LONGER PURSUED (ADDITIONS TO TABLE ATTACHED TO WWL LEGAL SUBMISSIONS)			
Provisions	WWL's position when evidence filed	GW rebuttal position	WWL's position at hearing
Definition of "undeveloped state"	WWL sought refinements so that undeveloped state takes account of existing vegetation and soil characteristics, rather than assume grassed state (and no soil characteristics).	Reject (Mr Farrant rebuttal at [6] and [7])	WWL does not pursue this issue any further.
Definition of "hydraulic neutrality"	WWL sought the addition of a reference to an appropriate magnitude storm event, and deletion of inappropriate references to "volumes"	Accept (Ms Pascall rebuttal at [232], Mr Farrant rebuttal at [4]-[5].)	Issue resolved on basis of amendments in GW rebuttal.
Policy FW.3(k)	WWL sought amendment to (k) to require District Plans to identify water source protection requirements.	Accept. Add a new clause (ka) to require District Plans to identify aquifers and drinking water source areas and include information about how urban development is managed in these areas (Ms Pascall rebuttal at [115]).	Issue resolved on basis of amendments in GW rebuttal

MATTERS RAISED IN WELLINGTON WATER SUBMISSIONS THAT ARE STILL PURSUED			
Provisions	WWL's position when evidence filed	GW rebuttal position	WWL's position at hearing
Policy 14, FW.3, FW.6	These policies not sufficiently clear on division of responsibilities between regional and district plans.	Policy 14: no specific response. Policy FW.3: reject, on the basis that it is appropriate to rely on respective councils coordinating between themselves at the implementation stage (Ms Pascall rebuttal at [114]). Policy FW.6: reject on the basis that the policy is a re-statement of ss 30 and 31 (Ms Pascall rebuttal at [139]).	Not resolved. WWL maintains that these provisions should be amended. TA/GW roles are not clearly differentiated. Re-stating what is in the Act is a failure to translate the Act's requirements into policy direction for the region. This should be addressed at the RPS level. It is insufficient to rely on coordination at a lower planning level. This risks issues falling through the gaps or being repeatedly litigated at regional and (multiple) district plan levels. A clear regional framework in the RPS will avoid this, and seems achievable (e.g. it is achieved in Policy 15). FW.6 in particular could be amended to provide better role clarity given this is its purpose.

Policy 18(c)	Delete or amend to achieve consistency with all relevant parts of NPSFM	No response	WWL maintains its opposition, for the reasons stated in the legal submissions.
New Policy FW.X (Hydrological Control for urban development – regional plans)	Sought that the policy be re-drafted as a policy to manage the effects of stormwater runoff (volume and quality) on freshwater ecosystem health, and leave it for rules to implement the policy to be developed under the regional plan.	Reject (Ms Pascall rebuttal at [60])	<p>WWL opposes the level of detail in the policy. The wording is still unclear, even to those with expert knowledge. The wording focusses on methodology not outcome (the outcome being ecosystem health and scour protection). The policy contains more specificity than necessary for an RPS. This level of specificity is more appropriate to rules, which can be developed in the NRP. Notably, the policy is more specific than any of the NRP provisions regarding hydrological controls under NRP PC1.</p> <p>The policy should require hydrological controls, but should not prescribe how hydrological controls must be set, given the extent of expert disagreement. Ms Lockyer and Mr Farrant do not agree on the technical foundations of the policy. The RPS is not the place to resolve these technical matters, given the RPS—in comparison to the regional plan—provides less scope for the testing of expert opinions, less opportunity for interaction between experts, and less opportunity for future refinement by privately-initiated change.</p> <p>WWL would support deletion of clauses (a) and (b), so that the policy states:</p> <p style="padding-left: 40px;">Regional plans shall include policies, rules and/or methods for urban development that require hydrological control to avoid adverse effects of runoff quality and quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows. Hydrological control standards must be set for greenfield, brownfield, and infill development.</p>
	If detail in policy retained, WWL sought that the policy be amended so as not to require continuous flow modelling	Reject (Mr Farrant rebuttal at [10]-[12])	Not resolved, but if the policy is simplified as sought by WWL this issue will be avoided and will not require to be resolved.
	If detail in policy retained, WWL sought that the policy be amended so as not to refer to “modelled mean annual runoff volume”	Reject (Mr Farrant rebuttal at [13])	Not resolved, but if the policy is simplified as sought by WWL this issue will be avoided and will not require to be resolved.

	<p>If detail in policy retained, WWL sought to replace the reference to 2-year ARI with an AEP reference.</p>	<p>Agree, but recommend alignment with NIWA High Intensity Rainfall Design System (Ms Pascall rebuttal at [59], Mr Farrant Rebuttal at [14])</p>	<p>WWL does not support this level of detail in the new policy. However, if this level of detail is retained, WWL supports the refinement recommended in GW's rebuttal, provided the explanation to the policy is also amended for consistency (i.e. the reference to an ARI in the explanation is replaced with the appropriate AEP reference).</p>
	<p>If detail in policy retained, WWL sought clarification of reference to "fully developed area" in (a)(i) and (ii) and (b)(i) and (ii).</p>	<p>Agree it is unclear. Propose replacing 'area' with 'site' in (a)(i) and (b)(i). (Ms Pascall rebuttal at [58])</p>	<p>WWL does not support this level of detail in the new policy. However, if this level of detail is retained, WWL supports the refinement recommended in GW's rebuttal; but adds that the refinement does not address all of the relevant terminology—all references in the policy to 'area' or 'site' should be made consistent.</p>
	<p>If detail in policy retained, WWL sought removal of references to 'channel-forming flow' and 'bankfull flow' from policy.</p>	<p>Agree to remove these references, and add them to the explanation (Ms Pascall rebuttal at [57], Mr Farrant rebuttal at [15])</p>	<p>WWL does not support this level of detail in the new policy. However, if this level of detail is retained, WWL supports the refinement recommended in GW's rebuttal.</p>
	<p>If detail in policy retained, WWL sought an amendment to (a)(ii) to cover greenfield development discharges via a stormwater network to a stream.</p>	<p>Agree to this amendment. (Ms Pascall rebuttal at [57], Mr Farrant rebuttal at [16])</p>	<p>WWL does not support this level of detail in the new policy. However, if this level of detail is retained, WWL supports the refinement recommended in GW's rebuttal.</p>