

Notice of Wellington Water Limited's wish to be party to proceedings

**To the Registrar
Environment Court
Wellington**

1. Wellington Water Limited (**WWL**) wishes to be a party to the following appeal of decisions on the Proposed Natural Resources Plan (**the Plan**) for the Wellington Region:

**The Royal Forest and Bird Protection Society of New Zealand
Incorporated v Wellington Regional Council, ENV-2019-WLG-000130**

2. WWL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
3. WWL agrees to participate in mediation or other alternative dispute resolution of the proceedings.
4. WWL is interested in the part of the proceedings related to:

New Objective to give effect to NPSFM

5. WWL opposes the relief sought. WWL is opposed because the proceedings do not state what the new objective would be, so it is unclear how it will impact on other provisions of interest to WWL.
6. WWL is interested in the part of the proceedings related to:

Objective O5 - ki uta ki tai: mountains to the sea

7. WWL opposes the relief sought. WWL opposes the relief sought because it is unclear how the reinstated objective would interact with other provisions which already address the matters in Objective O5 including Objectives O6 and O26, or how it meaningfully adds to the Plan.
8. WWL is interested in the part of the proceedings related to:

**Objective O18 and Table 3.8 - Biodiversity, aquatic ecosystem health
and mahinga kia**

9. WWL supports the intent to remove qualitative measures, but opposes the relief sought. WWL opposes the relief sought because the Royal Forest and Bird Protection Society of New Zealand Incorporated (**Forest and Bird**) do not specify what the substitute objective measures should be, so it is uncertain how this change will affect the provision of three waters infrastructure.

10. WWL is interested in the part of the proceedings related to:

Objective O19 - Natural character, form and function

11. WWL opposes the relief sought because the objective is absolute, with no recognition that some use and development may be appropriate even if it has a corresponding effect on natural processes. Reinstating the objective in these terms will not provide for regionally significant infrastructure.

12. WWL is interested in the part of the proceedings related to:

Objective O20 - Natural hazards

13. WWL supports the relief sought to the extent that it is consistent with WWL's appeal (ENV-2019-WLG-123). WWL opposes the introduction of the phrase "environmentally sensitive manner" as it is not clear what this would require.

14. WWL is interested in the part of the proceedings related to:

Objective O22 – Natural hazards

15. WWL opposes the relief sought in relation to this part. WWL opposes the relief for the reasons stated in its submissions, and because hard engineering and protection methods may be the only practical means to protect regionally significant infrastructure that has to be located in places where it is exposed to hazard risk, for functional or operational reasons.

16. WWL is interested in the part of the proceedings related to:

Objectives O23, O24, O25, O31, O35 and Tables 3.1-3.7 - Water quality

17. WWL opposes the relief sought in relation to this part. With the exception of any mandatory objectives or policies required by the National Policy Statement on Freshwater Management, the changes must be made through a Schedule 1 process. Further, the relief sought may not provide for regionally significant infrastructure.

18. WWL is interested in the part of the proceedings related to:

Objectives O44 – O48 - Land use, and discharges to land and water

19. WWL opposes the relief sought in relation to this part because the relief sought is not specific, and depending on its final form, the relief may not provide for regionally significant infrastructure.

20. WWL is interested in the part of the proceedings related to:

Policies P13 and P15 - Providing for regionally significant infrastructure and renewable electricity generation activities, and Flood protection activities

21. WWL opposes the relief sought in relation to this part, for the reasons stated in its submissions and its appeal (ENV-2019-WLG-123). If the relief sought is granted then the Plan will not give effect to the provisions of the Wellington Regional Policy Statement concerning regionally significant infrastructure, and may result in the Plan becoming impracticable for the management and development of such infrastructure.

22. WWL is interested in the part of the proceedings related to:

Policy P16 - New flood protection and erosion control

23. WWL opposes the relief sought in relation to this part, for the reasons stated in its submissions and its appeal (ENV-2019-WLG-123). If the relief sought is granted then the Plan will not give effect to the provisions of the Wellington Regional Policy Statement in relation to stormwater (e.g. Policy 7), and may result in the Plan being impracticable for flood protection.

24. WWL is interested in the part of the proceedings related to:

Policy P30 - Natural hazards

25. WWL opposes the relief sought in relation to this part. WWL considers the Policy is unclear and should therefore be amended for certainty, but opposes the relief sought to the extent that it may not recognise or provide for regionally significant infrastructure.

26. WWL is interested in the part of the proceedings related to:

Policy P31 - Biodiversity, aquatic ecosystem health and mahinga kai

27. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions and in its appeal (ENV-2019-WLG-123), and to the extent necessary to ensure that the Plan provides appropriately for the regionally significant infrastructure that is managed by WWL.

28. WWL is interested in the part of the proceedings related to:

Policy P32 - Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai

29. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions and in its appeal (ENV-2019-WLG-123), and to the extent necessary to ensure that the Plan provides appropriately for the regionally

significant infrastructure that is managed by WWL. Because the relief sought is not specific with regards to Tables 3.4 – 3.8, there is no way of knowing how this affects the operation, development and maintenance of three waters infrastructure.

30. WWL is interested in the part of the proceedings related to:

Policy P49 - Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes

31. WWL opposes the relief sought in relation to this part. If this policy is reinstated the Plan will not provide appropriately for the regionally significant infrastructure that is managed by WWL.

32. WWL is interested in the part of the proceedings related to:

Policy P62 - Promoting discharges to land

33. WWL opposes the relief sought in relation to this part, for the reasons stated in its submissions and in its appeal (ENV-2019-WLG-123). Further, the relief sought will make the Plan less clear and may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

34. WWL is interested in the part of the proceedings related to:

Policy P65 - Minimising effects of rural land use activities

35. WWL supports the intent of this part of the proceedings, as giving effect to Objective O44, but opposes the relief sought because it is impracticable.

36. WWL is interested in the part of the proceedings related to:

Policy P67 - Minimising discharges to water or land

37. WWL opposes the relief sought, as it may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

38. WWL is interested in the part of the proceedings related to:

Policy P70 - Managing point source discharges for aquatic ecosystem health and mahinga kai

39. WWL opposes the relief sought for the reasons stated in WWL submissions and because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL. The relief sought is not appropriate for wastewater and stormwater and therefore does not give effect to Policy 7 of the Wellington Regional Policy Statement.

40. WWL is interested in the part of the proceedings related to:

Policy P71 - Quality of point source discharges to rivers

41. WWL opposes the relief sought because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL.

42. WWL is interested in the part of the proceedings related to:

Policy P95 - Discharges to land

43. WWL opposes the relief sought because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL.

44. WWL is interested in the part of the proceedings related to:

Policy P102 - Reclamation or drainage of the beds of lakes and rivers

45. WWL opposes the relief sought for the reasons stated in WWL's submissions, and because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL.

46. WWL is interested in the part of the proceedings related to:

Policy P128 - Transfer of resource consents

47. WWL opposes the relief sought because it does not support Objective O6 and may contribute to the Plan being impracticable for community water supply.

48. WWL is interested in the part of the proceedings related to:

Policy P138 - Structures in sites with significant values

49. WWL opposes the relief sought. It is not appropriate to import the values from Policy P39A into the other scheduled areas to which Policy P138 applies.

50. WWL is interested in the part of the proceedings related to:

Policy P143 - Deposition in a site with significant values

51. WWL opposes the relief sought because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL, and is inconsistent with WWL's submission on this policy.

52. WWL is interested in the part of the proceedings related to:

Rule R126 - Placement of a dam in an outstanding water body – non-complying activity

53. WWL opposes the relief sought because it may contribute to the Plan being impracticable for the regionally significant infrastructure managed by WWL.

54. WWL made submissions on Objectives O5, O20, O22, O44 and O48; Policies P13, P15, P16, P31, P32, P62, P67, P70, P71, P102, P128, P138 and P143; and has an interest in the parts of the proceedings identified in this notice that is greater than the interest that the general public has, because those parts relate to provisions that affect water infrastructure and services, for which WWL is responsible.



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