

## 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:

**Rangitane Tū Mai Rā Trust and Rangitane o Wairarapa Inc Soc v  
Wellington Regional Council, ENV-2019-WLG-000125**

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:

**Amending all provisions to include timeframes for resolving over-allocation or remedying existing adverse effects**

5. WWL opposes the relief sought because it is uncertain whether this will result in practicable outcomes for regionally significant infrastructure. In addition, the relief sought is not specific enough to understand the significance or consequence of the appeal.
6. WWL is interested in the part of the proceedings related to:

**Amending, adding, deleting provisions to meet s 6(e)**

7. WWL opposes the relief sought in relation to this part, as there is a lack of specificity, making it unclear what relief is being sought, and how this will affect the regionally significant infrastructure managed by WWL.
8. WWL is interested in the part of the proceedings related to:

**Definition of "core allocation"**

9. WWL opposes the relief sought for the reasons stated in WWL's submissions and because it is contrary to the relief WWL has sought (in its appeal ENV-2019-WLG-123) in relation to Objective O52A in respect of the Plan's approach towards "over allocation", "allocation amount" and "core

allocation". Further, if the relief sought is granted, then the Plan will not give effect to Policies 7 and 17 of the Wellington Regional Policy Statement.

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

**Definition of "existing discharge"**

11. WWL opposes the relief sought for the reasons stated in WWL's submissions and in WWL's appeal (ENV-2019-WLG-123), and because it would result in an unworkable planning environment for wastewater overflows caused by heavy rainfall events. Wastewater overflows are a necessary pressure release mechanism to ensure the health and safety of people.

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

**Definition of "minimum flow or water level"**

13. WWL opposes the relief sought because it is uncertain, and WWL cannot therefore fully assess its potential impact on water supply. WWL is also concerned that the relief sought could lead to minimum flow or water level restrictions being applied to the Macaskill Lakes, which is not appropriate.

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

**Objective O13**

15. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). The relief sought is inconsistent with the Regional Policy Statement, and lacks clarity about how existing infrastructure is defined.

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

**Objective O17**

17. WWL opposes the relief sought in relation to this part. A natural character assessment cannot properly be introduced to the Plan at this stage in its evolution, as that will avoid a full Schedule 1 process.

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

**Objective O22**

19. 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.

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

**Objective O23**

21. WWL opposes the relief sought in relation to this part, as it is unclear how the relief sought might impact on the regionally significant infrastructure managed by WWL.

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

**Objective O24**

23. WWL opposes the relief sought in relation to this part. It is impracticable to achieve primary contact recreation water quality throughout the region. WWL would prefer to focus on priority sites for contact recreation rather than taking a region wide approach.

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

**Objective O25**

25. WWL opposes the relief sought in relation to this part, as it will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Objective O31**

27. WWL opposes the relief sought in relation to this part. The relief is not appropriate for an objective. A full assessment cannot properly be introduced to the Plan at this stage in its evolution, as that will avoid the Schedule 1 process. Even if it were possible in practice to undertake a full assessment of outstanding water bodies and their values at this stage of the Plan's evolution, the extent of any such assessment and its incorporation into the Plan may affect the Plan's recognition of and provision for regionally significant infrastructure. It is not possible to meaningfully assess the extent of that effect at this stage, let alone conceive of appropriate refinements to the provisions relating to regionally significant infrastructure that may be a necessary consequence.

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

**Objective O32**

29. WWL opposes the relief sought in relation to this part. The relief is not appropriate for an objective. A full assessment cannot properly be introduced to the Plan at this stage in its evolution, as that will avoid a full Schedule 1 process. Even if it were possible in practice to undertake a full assessment of outstanding natural features and landscapes at this stage of the Plan's evolution, the extent of any such assessment and its incorporation

into the Plan may affect the Plan's recognition of and provision for regionally significant infrastructure. It is not possible to meaningfully assess the extent of that effect at this stage, let alone conceive of appropriate refinements to the provisions relating to regionally significant infrastructure that may be a necessary consequence.

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

**Objective O46**

31. WWL opposes the relief sought in relation to this part, as it will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Objective O47**

33. WWL opposes the relief sought in relation to this part, as it will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Objective O48**

35. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions, and because it will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Objective O50**

37. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions and its appeal (ENV-2019-WLG-123), and because phasing out is not achievable for the wastewater discharges managed by WWL. This approach does not recognise the growth anticipated and planned within the Wellington region in accordance with the National Policy Statement for Urban Development Capacity. It also does not recognise the impracticability of discharging wastewater to land within Wellington.

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

**Policies - general**

39. WWL opposes the relief sought in relation to this part. Amending all specified policies to refer to freshwater objectives and limits will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P13 Providing for regionally significant infrastructure and renewable electricity generation activities**

41. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions and appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL; and, if the relief is granted, then the Plan will not properly give effect to Objective 10 and Policies 7, 8 and 39 of the Wellington Regional Policy Statement.

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

**Policy P14 Incompatible activities adjacent to regionally significant infrastructure, renewable electricity generation activities and significant mineral resources**

43. WWL opposes the relief sought in relation to this part. WWL relies on the reasons stated in its submissions and its appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL; and, if the relief is granted, then the Plan will not properly give effect to Objective 10 and Policy 8 of the Wellington Regional Policy Statement.

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

**Policy P19 Māori values**

45. WWL opposes the relief sought in relation to this part. The relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P48 Protection of natural features and landscapes**

47. WWL opposes the relief sought in relation to this part. An assessment to identify the outstanding natural features and landscapes cannot properly be introduced to the Plan at this stage in its evolution, as that will avoid a full Schedule 1 process.

48. 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**

49. WWL opposes the relief sought in relation to this part. An assessment to identify the outstanding natural features and landscapes cannot properly

be introduced to the Plan at this stage in its evolution, as that will avoid a full Schedule 1 process.

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

**Policy P62 Promoting discharges to land**

51. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the relief sought exceeds the requirements of Policy 16 of the Regional Policy Statement and is not achievable for the wastewater discharges managed by WWL.

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

**Policy P63 Improving water quality for contact recreation and Māori customary use**

53. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions. Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL. Not all locations will be suitable or valued for primary contact recreation, mahinga kai and Māori customary use.

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

**Policy P65 Minimising effects of rural land use activities**

55. WWL supports the intent of this part of the proceedings, but opposes the relief and its lack of specificity. There is no way of knowing how this will affect WWL structures and activities.

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

**Policy P68 Avoiding inappropriate discharges to water**

57. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions. Further, the relief sought is inconsistent with Policy 7 of the Regional Policy Statement (which requires that the Plan recognise the benefits of maintaining public health and safety), and it is not achievable for the wastewater infrastructure managed by WWL.

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

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

59. WWL opposes the relief sought in relation to this part, for the reasons stated in its submissions. Further, off-setting is a legitimate method to address

significant residual adverse effects, and the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P71 Quality of point source discharges to rivers**

61. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions. Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P73 Minimising adverse effects of stormwater discharges**

63. WWL opposes the relief sought in relation to this part, for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the relief sought will not appropriately give effect to Objective 10 and Policy 7 of the Regional Policy Statement, and will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P81 Minimising and improving wastewater discharges**

65. WWL opposes the relief sought in relation to this part, for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

**Policy P82 Mana whenua values and wastewater discharges**

67. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions, and because it will not recognise and provide for the regionally significant infrastructure managed by WWL.

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

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

69. WWL opposes the relief sought in relation to this part for the reasons stated in its submissions and its appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant water infrastructure managed by WWL.

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

**Policy P103 Management of gravel, sand or rock extraction**

71. WWL opposes the relief sought in relation to this part, as it is unclear what relief is being sought and the reasons for that relief. It is suggested that either the relief sought or the provision is incorrect.

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

**Policy P111 Water takes at minimum flows and minimum water levels**

73. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL or give appropriate effect to Policy 17 of the Wellington Regional Policy Statement.

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

**Policy P117 Supplementary allocation amounts at flows above the median flow**

75. WWL opposes the relief sought in relation to this part because it will not recognise and provide for the regionally significant infrastructure managed by WWL or give appropriate effect to Policy 17 of the Wellington Regional Policy Statement.

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

**Policy P129 Minimum flows and minimum water levels**

77. WWL opposes the relief sought in relation to this part because it will not recognise and provide for the regionally significant infrastructure managed by WWL or give appropriate effect to Policy 17 of the Wellington Regional Policy Statement.

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

**Policy P138 Structures in sites with significant values**

79. WWL opposes the relief sought in relation to this part for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the relief sought will not recognise and provide for the regionally significant infrastructure managed by WWL.



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

**Rule R42 Minor discharges – permitted activity**

81. WWL opposes the relief sought in relation to this part. WWL opposes the relief for the reasons stated in WWL's submissions and appeal (ENV-2019-WLG-123). Further, the proposed changes to the "zone of reasonable mixing" may render the Plan impracticable for discharges that are a routine part of WWL's management of regionally significant infrastructure.

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

**Rule R80 Discharge of treated wastewater from a wastewater network – restricted discretionary activity**

83. WWL opposes the relief sought in relation to this part. WWL opposes the relief for the reasons stated in WWL's submissions, and because the relief would create extra complexity for managing discharges to land that is contrary to expectations for regionally significant infrastructure. This would not provide a rule framework which gives effect to Policy 16 of the Regional Policy Statement.

84. WWL made submissions on the Plan's approach towards water allocation; the definitions of "existing discharge" and "minimum flow or water level"; Objectives O13, O22, O24, O48 and O50; Policies P13, P14, P62, P63, P68, P70, P71, P73, P81, P82, P102, P103, P111, P129 and P138; Rules R42 and R80; 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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