

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:

**Wellington Fish and Game Council v Wellington Regional Council,
ENV-2019-WLG-000122**

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:

Definition of "natural character"

5. WWL opposes the relief sought. The relief sought appears to widen the meaning of the term in ways that may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.
6. WWL is interested in the part of the proceedings related to:

Objective O5

7. WWL opposes the relief sought for the reasons stated in its submissions and 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 O17

9. The appeal states Objective O19, however the relief sought quotes Objective O17. WWL assumes that the appeal relates to O17 and has addressed it on that basis.

10. WWL opposes the relief sought. The meaning of "restored" and "rehabilitated" is uncertain as they do not relate to a specified prior condition. The objective should not rely on subjective evaluations of this sort, as it makes the implementation of the Plan uncertain, and may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

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

Objective O24

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

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

Objective O25

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

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

Table 3.4 Rivers and streams

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

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

Tables 3.1 Primary contact recreation and Māori customary use objectives in freshwater bodies and 3.2 Secondary contact and Māori customary use recreation objectives in freshwater bodies

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

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

Objectives O31 and O35

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

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

Objective O44

22. WWL supports this part of the proceeding to the extent that it seeks to manage the effects of land based activities on water quality, particularly cyanobacteria, but considers the relief sought should be amended to provide for regionally significant infrastructure, to explicitly address water quality, aquatic ecosystems and cyanobacteria, and to ensure it fits with other water quality outcomes sought by WWL's appeal (ENV-2019-WLG-123). Some of this relief may fit better within the policy framework rather than the objective framework.

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

Objective O46 and O47

24. WWL opposes the relief sought because linking these objectives to O24 and O25 creates uncertainty and may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

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

Policy P5 Review of existing consents

26. WWL opposes the relief sought for the reasons stated in WWL's submissions. The Policy should include all relevant obligations under s 128(1) including the purpose of review, and there should be a requirement for evidence that there are adverse effects attributable to the exercise of the consent.

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

Policy P6 Synchronised expiry and review dates

28. WWL opposes the relief sought for the reasons stated in its submissions, and because it is appropriate to retain common expiry and review dates to be optional, to allow for case by case assessment.

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

Policy P31 Biodiversity, aquatic ecosystem health and mahinga kai

30. WWL opposes the relief sought to the extent that it relates to the amendments Fish and Game are also seeking to the section 3 Tables, which in combination will create uncertainty and may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

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

Policy P65 Minimising effects of rural land use activities and associated rules

32. WWL supports the intent of this part of the proceedings, being to give effect to Objective O44; but opposes the specific relief as being impracticable and thus failing to achieve Objective O44.

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

Additional policies in Discharge to Land and Water Chapter under 4.8.1

34. WWL supports this part of the proceedings to the extent that it manages the impacts of land use activities on water quality, and WWL opposes any application of the policies to wastewater or stormwater, as these are covered by more specific provisions elsewhere in the Plan.

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

Policies P70 Managing point source discharges for aquatic ecosystem health and mahinga kai and P71 Quality of point source discharges to rivers

36. WWL opposes the relief sought to the extent that it may lead to these policies being applied to wastewater or stormwater. WWL opposes any application of these policies to wastewater or stormwater because these are covered by more specific provisions elsewhere in the Plan.

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

Policy P102

38. WWL opposes the relief sought for the reasons stated in WWL's submissions and WWL's appeal (ENV-2019-WLG-123). Scheduled sites should not be excluded from the seven exceptions listed in the Policy, and the exceptions should provide for reclamation necessary for regionally significant infrastructure, including where that is associated with a growth and/or development framework or strategy. Excluding the seven exceptions from applying to scheduled sites, or deleting the allowances for growth-related reclamations may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

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

Policy P105 Protecting trout habitat

40. WWL opposes the relief sought for the reasons stated in WWL's submissions. In particular, WWL sought in submissions the addition of the words "to the

extent practicable" to the end of paragraphs (b) and (e) of the policy. This recognises that WWL's activities to ensure the safety of people and property are sometimes necessary in trout habitats and it may not always be possible to achieve all parts of Policy P105.

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

Policy P111 Water takes at minimum flows and minimum water levels

42. WWL opposes the relief sought. The relief sought would make community water supply impracticable and would fail to recognise and provide for this essential infrastructure.

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

Policy P117 Supplementary allocation amounts at flows above the median flow and equivalent provisions within the Whaitua chapters

44. WWL opposes the relief sought. The relief sought would contribute to the Plan being impracticable for the community water supply that is managed by WWL. Water supply for the health needs of people is essential, as recognised by Policy 7 of the Wellington Regional Policy Statement.

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

New Policy in section 4.9 and Whaitua Chapters

46. WWL opposes the relief sought. The relief sought would contribute to the Plan being impracticable for the community water supply that is managed by WWL. Water supply for the health needs of people is essential, as recognised by Policy 7 of the Wellington Regional Policy Statement.

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

Rule R42 Minor discharges

48. WWL opposes the deletion of Rule R42. For the reasons stated in WWL's submission and in WWL's appeal (ENV-2019-WLG-123) WWL supports the retention of an amended version of Rule R42.

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

New Method M10a

50. WWL opposes the introduction of a new method M10a, because it may contribute to the Plan being impracticable for the regionally significant infrastructure that is managed by WWL.

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

Schedule A Outstanding water bodies

52. WWL opposes the relief sought in this part of the proceedings. The relief sought creates uncertainty and undermines the purpose and application of the Schedule.

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

Schedule I Important trout fishery rivers and spawning waters

54. WWL opposes the relief sought in this part of the proceedings. The relief sought creates uncertainty and undermines the purpose and application of the Schedule.

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

Maps 22a and 22b

56. WWL opposes the relief sought in this part of the proceedings. WWL is opposed to any amendment that may add to the Important Trout Fishery Rivers and Important Trout Spawning Waters depicted on the Maps.

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

Schedule V Implementation of supplementary allocation policy

58. WWL opposes the relief sought in this part of the proceedings. WWL is opposed to amendments to supplementary allocation that may contribute to the Plan being impracticable for the community water supply that is managed by WWL. Water supply for the health needs of people is essential as recognised by Policy 7 of the Wellington Regional Policy Statement.

59. WWL made submissions on Objectives O5 and O44; Policies P5, P6, P31, P70, P71, P102, P105 and P111; Rule R42; Schedules A and I; 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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