

IN THE MATTER of the Resource Management Act 1991

AND of an appeal under Clause 14(1) of First Schedule to the Resource Management Act 1991

BETWEEN LAND MATTERS LIMITED
Appellant

AND GREATER WELLINGTON REGIONAL COUNCIL
Respondent

AND RANGITĀNE TŪ MAI RĀ TRUST AND RANGITĀNE O
WAIRARAPA INCORPORATED SOCIETY
Interested Party

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 of the First Schedule Resource Management Act 1991

To:

the Registrar
Environment Court
Wellington

1. Land Matters Ltd ("Land Matters") wish to be a party to the following proceedings:
 - *ENV-2019-WLG-000125;*
 - *Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society v Greater Wellington Regional Council and the Proposed Natural Resources Plan*
2. We are —
 - *a person who has an interest in the proceedings that is greater than the interest that the general public has in that the subject matter in that the appellants notice of appeal could have an influence on the provisions of the Proposed District Plan that relate to land owned by the Interested Party.*

3. We are not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.
4. We are interested in part of the proceedings.
5. The part of the proceedings I am interested in is:
 - *See attached Appendix A*
6. We are interested in the following particular issues:
 - *See attached Appendix A*
7. We **oppose/support** the relief sought because—
 - *See attached Appendix A*
8. We agree to participate in mediation or other alternative dispute resolution of the proceedings.



Signature of person
on behalf of Land Matters Ltd

8 October 2019
Date

Address for service of person wishing to be a party:
Telephone: 021 877 143
Fax/email: bryce@landmatters.nz
Contact person: Bryce Holmes

APPENDIX A			
Appellant: Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society			
Appeal points (the part of the appeal we are interested in)	Interested in the particular issues	We oppose/support the relief sought because	agree to participate in mediation or other ADR
Objective O17 <i>The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.</i>	Amend map all areas within the coastal environment, rivers, lakes and their margins and wetlands with <i>high natural character</i> ; and the inclusion of those areas in the Proposed Plan. The mapping should be consistent with the areas identified in District Plans or Proposed District Plans.	Support because: <ul style="list-style-type: none"> This is consistent with the RPS which requires the Regional Council to provide this information Mapping provides certainty and identifies the values to be protected. 	Yes
Objective O24 <i>Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:</i> <i>(a) maintaining water quality, or</i> <i>(b) improving water quality in:</i> <i>(i) significant contact recreation fresh water bodies and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and (ii) coastal water and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and</i> <i>(iii) all other rivers and lakes and natural wetlands to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.</i>	Amending O24 so that all water bodies meet the contact recreation outcomes; and 1. Benthic cyanobacteria should refer to >20% numeric threshold rather than a narrative 2. Provide guidance on interpretation of objectives in Table 3.1 and 3.2 3. Periphyton cover for contact recreation should also be included and the numeric threshold should be <30% covering using the peri WCC method 4. Nuisance macrophytes should be included	We support in part the outcomes because: <ul style="list-style-type: none"> Where the provisions provide more certainty through translating <u>all</u> narrative and/or external references in Tables 3.1 and 3.2 into appropriate interpretive objectives in those tables. 	Yes
Objective O28 <i>The extent and significant values of natural wetlands is</i>	Amend O28 to delete references to natural wetlands being “maintained or increased” so that it reads that “all natural wetlands are	We oppose these proposed changes because:	Yes

APPENDIX A			
Appellant: c			
Appeal points (the part of the appeal we are interested in)	Interested in the particular issues	We oppose/support the relief sought because	agree to participate in mediation or other ADR
<i>maintained or increased, are protected, and their condition is restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.</i>	protected and their condition restored..."	<ul style="list-style-type: none"> The wording proposed by the Appellants will have unintended consequences in that it will result in <u>all</u> natural wetlands being protected and their condition restored not just natural wetlands that may be adversely affected from effects of activities; and including those activities which may have positive effects on wetland diversity and increasing wetlands (through measures such as mitigation and off-setting); and Many natural wetlands have low natural values and are in our view incorrectly identified as meeting the significance criteria set out in Policy 23 of the RPS. 	
Objective O31: <i>Outstanding water bodies and their significant values are protected. and restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</i>	Amend Objective O31 to identify outstanding water bodies in the coastal marine area; and for the beds of lakes and rivers	Support because: <ul style="list-style-type: none"> The changes provides certainty. 	Yes
Policy 102: Reclamation or drainage of the beds of lakes and rivers <i>The reclamation or drainage of the beds of lakes and rivers</i>	Amend Policy 102 to ensure reclamation and drainage of beds of lakes and rivers and natural wetlands in scheduled sites B (Nga Taonga Nui a Kiwa) , D (Statutory	Oppose <ul style="list-style-type: none"> The proposed changes are not consistent with Section 6 of the Act, 	Yes

APPENDIX A

Appellant: c

Appeal points (the part of the appeal we are interested in)	Interested in the particular issues	We oppose/support the relief sought because	agree to participate in mediation or other ADR
<p><i>and natural wetlands shall be avoided, in particular those identified in Schedules A (outstanding water bodies) and C (mana whenua), except where the reclamation or drainage is: (b) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or (b) associated with a qualifying development within a special housing area, or (eb) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or (dc) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or (ed) associated with the creation of a new river bed and does not involve piping of the river, and (e) for the purpose of forming a reasonable crossing point, and (f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or (g) the reclamation or drainage is of an ephemeral flow path.</i></p> <p><i>For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</i></p>	<p>Acknowledgement Areas), E (Historic Sites) and F (Freshwater Sites) are also avoided</p> <p>And Amend Policy 102 to apply on to those beds of lakes, rivers and natural wetlands either identified in Schedules A and C, or any other waterbody identified in a schedule/planning map.</p>	<p>provisions in the NPS-FW and the RPS; and</p> <ul style="list-style-type: none"> Particularly in relation to Schedule F sites, where reclamation and/or drainage may be appropriate in some water bodies, in particular natural wetlands where the proposed adverse effects are less than minor; or where the adverse effects can be appropriately mitigated (included through off-setting); and Not all natural wetlands require this type of protection and this provision should only apply to scheduled sites. 	
<p><i>Policy 63: Improving water quality for contact recreation and Māori customary use:</i></p> <p><i>The water quality of <u>fresh</u> water bodies and coastal water identified as priorities for improvement for contact recreation and Māori customary use in Schedule H2 (priority water bodies) shall be improved to meet, over time and as a</i></p>	<p>Amend Policy 63 to require the improvements in freshwater bodies listed occur no later than 2030.</p> <p>Delete Policy 63 and provide two specific policies separating out managing water quality for contact recreation and for Maori</p>	<p>Oppose because</p> <ul style="list-style-type: none"> The Whaitua process is the methodology that the Council has adopted through this process to determine how priorities for improvement for contact recreation and Maori customary use and should be 	Yes

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<p><i>minimum, the objectives in Table 3.1, 3.2 and 3.3, including by:</i></p> <p><i>(a) improving water quality in all first priority <u>for improvement</u> water bodies for secondary contact with water <u>listed</u> in Schedule H2 (priority water bodies) in accordance with Method M27, and</i></p> <p><i>(b) Stormwater Management Strategies having particular regard to improving water quality in fresh water bodies and coastal water identified in Schedule H2 (priority water bodies) that are adversely affected by discharges from stormwater networks, and</i></p> <p><i>(eb) having particular regard to improving water quality in fresh water bodies and areas of coastal water identified in Schedule H2 (priority water bodies) that <u>where contact recreation and/or Māori customary use are adversely affected by discharges from stormwater from a port, airport or state highway, wastewater networks or and wastewater treatment plants.</u></i></p> <p><i>Note Whaitua committees will identify methods and timeframes to improve water quality in all first and second priority water bodies listed in Schedule H2 (priority water bodies) within their whaitua. These may be incorporated into the Plan by a future plan change or variation.</i></p>	<p>customary use; or</p> <p>Retain the existing wording of the publicly notified version including the advice note.</p>	<p>used to identify timeframes for improvement;</p> <ul style="list-style-type: none"> The policy as currently worded conflates two potentially divergent objectives and should be separated into a policy for contact recreation and a policy for Māori customary use with priorities set accordingly. 	