

**BEFORE THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2019-WLG-000125

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal pursuant to Clause 14(1) of
the First Schedule to the Act

BETWEEN Rangitāne Tū Mai Rā Trust and Rangitāne
o Wairarapa Incorporated Society
Appellant

AND Greater Wellington Regional Council
Respondent

**NOTICE OF REPRESENTATION AT PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

To: The Environment Court Registrar
PO Box 5027
Wellington

1. Powerco Limited (“Powerco”) wishes to be a party to the following proceedings:
 - 1.1 ENV-2019-WLG-000125 between Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society (“Appellant”) and Greater Wellington Regional Council (“Respondent”) in relation to the respondent’s decisions on submissions to the Proposed Wellington Regional Plan (“the Proposed Regional Plan”).
2. Powerco lodged submissions on the Proposed Regional Plan on the subject matter of the proceedings.
3. Powerco is New Zealand’s second largest gas and electricity distribution company. In the Wellington Region, Powerco operates both gas and electricity networks. This comprises an electricity network within the Wairarapa, covering the area from south of Eketahuna to Cape Palliser and a gas network covering Wellington City, Hutt Valley and Porirua.
4. Powerco is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. Powerco is interested in the following matters raised by the Appellant:
 - 5.1 Appeal points 27-30 relating to the entire plan.
 - 5.2 Objective O13 (appeal point 36).
 - 5.3 Objective O46 (appeal point 42).
 - 5.4 Appeal point 46, which seeks to amend all policies that refer to effects being minimised so that management outcomes are clear.
 - 5.5 Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities (appeal point 47).
 - 5.6 Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities and introduction of a new policy (appeal point 48).
 - 5.7 Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai (appeal point 56).
 - 5.8 Policy P95: Discharges to land (appeal point 61).
 - 5.9 Policy P138: Structures in sites with significant values (appeal point 65).
6. The reasons for Powerco’s interest in these matters are as follows:

- 6.1 Powerco seeks to ensure that the provisions of the Proposed Regional Plan continue to provide appropriate recognition and provision for Powerco's assets; and do not unreasonably and/or unnecessarily restrict Powerco's development and maintenance activities. Powerco also seeks to ensure that the Appellant's appeal does not prevent the outcomes sought in Powerco's own appeal from being achieved.
- 6.2 Appeal points 27-30 relate to the entire Proposed Regional Plan. The relief sought is uncertain and potentially affects a large number of provisions across the plan. As such, Powerco wishes be privy to these appeal points to ensure any amendments to the Proposed Regional Plan appropriately provide for the operation, maintenance and upgrade of its assets and do not unreasonably and/or unnecessarily restrict Powerco operations.
- 6.3 Powerco considers Objective O13 appropriately provides for the protection for regionally significant infrastructure from incompatible use and development, but is not necessarily opposed to the relief sought, subject to appropriate wording.
- 6.4 Powerco opposes the changes sought by the Appellant to Objective O46 and prefers the decisions version of the objective. The objective should focus on the management of adverse effects of discharges to land. In some cases historical contamination of land results in leaching of contaminants to groundwater which cannot be reduced until natural attenuation has occurred. Where there are no adverse effects of allowing natural attenuation, reduction of offsite migration may not be necessary.
- 6.5 Appeal point 46 seeks to amend all policies that refer to effects being 'minimised' so that management outcomes are clear. The relief sought is uncertain and potentially affects a large number of provisions across the plan. As such, Powerco wishes be privy to this appeal point to ensure any amendments to the Proposed Regional Plan appropriately provide for the operation, maintenance and upgrade of its assets and do not unreasonably and/or unnecessarily restrict Powerco operations.
- 6.6 Powerco opposes the relief sought in relation to Policy P13 and considers the decisions version of the Proposed Regional Plan already provides for appropriate balancing consideration of the balance between providing for regionally

significant infrastructure and protection of areas of significance and other high value natural resources.

- 6.7 Powerco opposes the relief sought in relation to Policy P14, including introduction of a new policy relating to managing the adverse effects of regionally significant infrastructure. The Proposed Regional Plan already requires appropriate consideration of the adverse effects of regionally significant infrastructure, including in relation to sites in Schedules A to F, H and J.
 - 6.8 Powerco has an interest in the relief sought regarding Policies P70 and P95. In the absence of specific relief sought, the potential implications are uncertain, therefore Powerco wishes to be party to the matters to ensure any outcomes relating to discharges remain appropriate and workable.
 - 6.9 Powerco opposes the relief sought in relation to Policy P138 and considers a requirement for complete avoidance of adverse effects to be too absolute.
7. Powerco agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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David le Marquand
Principal Planning and Policy Consultant
4Sight Consulting Limited

Dated this 9th day of October 2019

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A copy of this notice has been served on the following parties:

Greater Wellington Regional Council

Via email: RegionalPlanAppeals@gw.govt.nz

Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society

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Minister of Conservation

Via Email: kanton@doc.govt.nz