

BEFORE THE ENVIRONMENT COURT  
AT WELLINGTON

ENV-2019-WLG-000127

I MUA I TE KOOTI TAIAO O AOTEAROA  
TE WHANGANUI-A-TARA

IN THE MATTER of the Resource Management Act 1991 (“**the Act**”)

A N D

IN THE MATTER of an appeal under Clause 14(1) of the First Schedule of the Act in relation to the proposed Natural Resource Plan for the Greater Wellington Region.

BETWEEN **SOUTH WAIRARAPA DISTRICT COUNCIL**

*Appellants*

A N D **GREATER WELLINGTON REGIONAL COUNCIL**

*Respondent*

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**NOTICE OF INTENTION TO APPEAR  
BY RANGITĀNE TŪ MAI RĀ TRUST AND RANGITĀNE O WAIRARAPA  
INCORPORATED SOCIETY  
Dated 9 October 2019**

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**To** the Registrar, Environment Court Wellington

**This notice, notifies you that:**

1. Pursuant to section 274 of the RMA, Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society (“Rangitāne”) file this Notice of Intention to Appear on the appeal by the South Wairarapa District Council (“the Appeal”).
2. Rangitāne oppose the Appeal.

**Grounds to be a section 274 Party**

3. The Appeal relates to various decisions on the provisions of the Greater Wellington Regional Council Proposed Natural Resource Plan (“the Decision”), that Rangitāne submitted on or have also appealed.
4. Rangitāne:
  - (a) Are the representative groups for the iwi of Rangitāne who have Mana Whenua in the Greater Wellington area;
  - (b) Are not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991;
  - (c) Made submissions on the proposed natural resource plan;
  - (d) Are interested in all of the matters raised in the appeal;
  - (e) Are an iwi that has an interest in the Decision that is greater than the interest that the general public has given their cultural and spiritual relationships within the Greater Wellington area; and
  - (f) Filed an appeal against the decision on 18 September 2019.
5. Specifically, Rangitāne are interested in the following appeal points and the relief now sought as it differs from the submissions made by Rangitāne and parts of their appeal:

- (a) Definition of Regionally significant infrastructure;
  - (i) Rangitāne oppose the relief sought to amend the definition of “Regionally Significant Infrastructure” to include Local Authority Roads, including culverts, bridges, and any other support structures or ancillary infrastructure.
- (b) Objective O12: Benefits of regionally significant infrastructure;
  - (i) Rangitāne oppose the relief sought to amend Objective 12 to include “roads are recognised and provided for” and to add a new Objective 12A as follows: “Recognise that some regionally significant infrastructure has a functional need and/or operational requirement to be located and/or operated in a particular environment.”
- (c) Policy P7: Uses of land and water;
  - (i) Rangitāne oppose the relief sought to amend the Policy to include transportation, including along, and access to, water bodies; and regionally significant infrastructure.
- (d) Policy P8: Beneficial activities;
  - (i) Rangitāne oppose the relief sought to retain Policy 8.
- (e) Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities;
  - (i) Rangitāne oppose the relief sought to include roads in Policy 12.
- (f) Rule R121: Maintenance of drains and highly modified rivers or streams within an individual property - permitted activity; Rule R122: Removing vegetation from the bed of any river or lake - permitted activity; Method M14A: Mapping of drains and highly modified rivers and streams;

- (i) Rangitāne opposes the relief sought to either delete the conditions applying to vegetation clearance, fish removal and sediment removal or amend to be more workable and practicable and provide mapping to clarify those watercourses to which the Rules apply and any consequential amendment required to give effect to the relief sought including changes to the following definitions:
  - (A) Drain;
  - (B) Highly modified river or stream;
  - (C) Existing discharge; and
  - (D) New discharge.
  
- (g) Rule R61: Wastewater discharges to coastal and fresh water - discretionary activity;
  - (i) Rangitāne oppose the relief sought to:
    - (A) amend the definitions of “Existing Discharge” and/or “New Discharge”; and
    - (B) amend Rule 61(b) related to the requirement to reduce the volume of wastewater discharge to freshwater so it is on a per capita basis.
  
- (h) Rule R80: Discharge of treated wastewater from a wastewater network - restricted discretionary activity;
  - (i) Rangitāne oppose the relief sought to:
    - (A) amend Rule 80 to provide for discharges of treated wastewater from a municipal wastewater network onto or into land as a permitted or controlled activity.

- (i) Policy P74: Development of a stormwater management strategy and first-stage local authority network consents;
  - (i) Rangitāne oppose the relief sought to delete “Greytown and Featherston” from Policy 74 (f)(ii).
- (j) Rule R51: Stormwater from a local authority network with a stormwater management strategy - restricted discretionary activity;
  - (i) Rangitāne oppose the relief sought to amend Rule R51 to clarify that effects which are temporary, or minor are not matters over which discretion is restricted.
- (k) Rule R36B: Motorised and aerial discharge of agrichemicals - permitted activity;
  - (i) Rangitāne oppose the relief sought to amend Rule R36B to clarify that mechanical spraying for roadside drains is a permitted activity.
- (l) Rule R45: Potable water - permitted activity;
  - (i) Rangitāne oppose the relief sought to amend Rule R45 to clarify that the chlorine content of the discharge is measured from the when it enters the water, rather than the discharge point.
- (m) Rule R48A: Stormwater from new subdivision and development - permitted activity;
  - (i) Rangitāne oppose the relief sought to delete the new Rules R48A.
- (n) Rule R52A: Stormwater from new subdivision and development - restricted discretionary activity;
  - (i) Rangitāne oppose the relief sought to delete the new Rules R52A.
- (o) Rule R99: Earthworks- permitted activity;

- (i) Rangitāne oppose the relief sought to delete the new Rule R99 (e) or to amend to clarify that work carried out by District Councils within 5 m of a surface waterbody to manage flood risk is a permitted activity.
- (p) Rule R100: Vegetation clearance on erosion prone land - permitted activity.
- (i) Rangitāne oppose the relief sought to delete the new Rule 100 (c) or to amend to clarify that work carried out by District Councils within 5 m of a surface waterbody to manage flood risk is a permitted activity.

### **Conclusion**

- 6. Rangitāne agree to participate in mediation or other alternative dispute resolution of the proceedings and will abide by any further directions of the Court.

Dated: 9 October 2019



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**Aidan Warren/Kuru Ketu**  
Counsel for the Appellants

This document is filed by Aidan Warren of McCaw Lewis Lawyers. The address for service for Rangitāne is at the offices of McCaw Lewis Lawyers, Level 6, 586 Victoria Street, Hamilton 3240.

Documents for service may be left at the address for service, or may be:

- (a) Posted to Aidan Warren at PO Box 9348, Hamilton 3240; or
- (b) Emailed to Aidan Warren at [aidan.warren@mccawlewis.co.nz](mailto:aidan.warren@mccawlewis.co.nz) and [kuru.ketu@mccawlewis.co.nz](mailto:kuru.ketu@mccawlewis.co.nz).