

BEFORE THE ENVIRONMENT COURT  
AT WELLINGTON

**ENV-2019-WLG-000128**

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 **THE OIL COMPANIES**

*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 Oil Companies (“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) Rule R140: Dewatering - permitted activity;
  - (i) Rangitāne oppose the relief sought to amend Rule R140 and/or R140B to clarify the rule cascade for dewatering activities that do not comply with R42 and to ensure that the discharge of dewatering water that may contain trace levels of hazardous substances does not default to a non-complying activity status.
  
- (b) Rule R42: Minor discharges - permitted activity;
  - (i) Rangitāne oppose the relief sought to change the discharge rules to ensure that discharges, such as tank and bund testing water, fire water and dewatering discharges, containing trace levels of hazardous substances that are unlikely to generate significant adverse effects on the environment do not default to a non-complying activity status.
  
- (c) Rule R49: Stormwater to land - permitted activity;
  - (i) Rangitāne oppose the relief sought to amend Rule R49 to provide a permitted activity pathway for stormwater discharges from SLUR Category III Land, which do not come into direct contact with contaminated soil.
  
- (d) Rule R55: Discharges from contaminated land - permitted activity;
  - (i) Rangitāne oppose the relief sought that a permitted activity pathway be available for passive discharges from SLUR Category III land within community drinking water supply protection areas, provided a detailed site investigation report concludes that the discharge is highly unlikely to be a risk to human health or the environment.

## 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).