

BEFORE THE ENVIRONMENT COURT  
AT WELLINGTON

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 **RANGITĀNE TŪ MAI RĀ TRUST AND RANGITĀNE O WAIRARAPA INCORPORATED SOCIETY**

*Appellant*

A N D

**GREATER WELLINGTON REGIONAL COUNCIL**

*Respondent*

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**NOTICE OF APPEAL ON THE GREATER WELLINGTON REGIONAL COUNCIL  
PROPOSED NATURAL RESOURCE PLAN DECISION  
Dated 18 September 2019**

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Counsel Acting  
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**To** The Registrar, Environment Court, Wellington.

1. Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society (“**the Appellants**”) appeal part of the decisions on the proposed Natural Resource Plan (“PNRP”) for the greater Wellington region by the Greater Wellington Regional Council (“**the Respondent**”) on the following matter:
2. The Appellants lodged submissions and further submission on the proposed Natural Resource for the Wellington Region.<sup>1</sup>
3. The Appellant is not a trade competitor for the purposes of section 308D of the Act.
4. The Appellant received notice of the decision of 31 July 2019. The Decision was made by the Greater Wellington Regional Council.
5. The following decisions are appealed against:

1.	Entire Plan
2.	Definitions – ‘Cultural impact assessment’ S279/009
3.	Definition - Core Allocation
4.	Definition – Drain
5.	Definition – Earthworks
6.	Definition – Existing Discharge
7.	Definition – Fertiliser
8.	Definition – Good management practice
9.	Definition – Minimum flow or water level
10.	Definition – Upgrade
11.	Definition - Wairarapa Moana
12.	Definition – Wastewater network
13.	Beneficial use and development – Objective O7 S279/018
14.	Māori relationships – Objective O16 S279/027

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<sup>1</sup> Submitter number 279 and Further Submitter number 74.

15.	Natural character form and function – Objective O20 S279/031
16.	Natural character form and function – Objective O22 S279/033
17.	Water quality – Objective O24 S279/035
18.	Biodiversity, aquatic ecosystem health – Objective O28 S279/039
19.	Sites of significant values – Objective O31 S279/042
20.	Sites of significant values – Objective O32 S279/043
21.	Discharges <a href="#">to land and water</a> – Objective O50 S279/060
22.	Policy P62: Promoting discharges to land S279/113
23.	Policy P68: Inappropriate discharges to water S279/120
24.	Policy P99: Livestock access to surface water bodies S279/132
25.	Policy P102: Reclamation drainage of the beds of lakes and rivers S279/135
26.	Policy P103: Management of gravel extraction S279/136
27.	Entire Plan S279/005
28.	Entire Plan S279/006
29.	Entire Plan S279/001
30.	Entire Plan S279/002
31.	Introduction S279/007
32.	Integrated catchment management S279/008
33.	Ki uta ki tai: mountains to the sea – Objective O2 S279/012
34.	Ki uta ki tai: mountains to the sea - Objective O4 S279/014
35.	Beneficial use and development - Objective O11 S279/022
36.	Beneficial use and development - Objective O13 S279/024
37.	Natural character, form and function - Objective O17 S279/028
38.	Water quality - Objective O23 S279/034
39.	Biodiversity, aquatic ecosystem health - Objective O25 S279/036
40.	Sites with significant values - Objective O34 S279/045
41.	Soil - Objective O42 S279/052
42.	Discharges to <a href="#">land and water</a> - Objective O46 S279/056

43.	Discharges to <a href="#">land and water</a> - Objective O47 S279/057
44.	Discharges to <a href="#">land and water</a> - Objective O48 S279/058
45.	Policies S279/154
46.	Policies S279/229
47.	Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities S279/080
48.	Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities S279/081
49.	Policy P19: Māori values S279/084
50.	Policy P21: Statutory acknowledgements S279/086
51.	Policy P48: Protection of outstanding natural features and landscapes S279/109
52.	Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes S279/110
53.	Policy P63 Improving water quality for contact recreation and Maori customary use S279/114
54.	Policy P71 – Quality of point source discharge to rivers FS74/194, 195, 196
55.	Policy P65: Minimising effects of nutrient discharges S279/117
56.	Policy P70: Managing point source discharges for aquatic ecosystem health and mahinga kai S279/122
57.	Policy P73: Minimising adverse effects of stormwater discharges S279/123
58.	Policy P81: Minimising and improving wastewater discharges S279/239
59.	Policy P82: Mana whenua values and wastewater discharges S279/240
60.	Policy P94: Discharge of collected animal effluent S279/128
61.	Policy P95: Discharges to land S279/129
62.	Policy P111: Water takes at minimum flows and water levels S279/142
63.	Policy P117: Supplementary allocation amounts at flows above the median flow S279/148
64.	Policy P129: Minimum flows and water levels S279/155
65.	Policy P138: Structures in sites with significant values S279/160

66.	Rule R42: Minor discharges - permitted activity S279/165
67.	Rule R80: Discharge of treated wastewater - restricted discretionary activity S279/259
68.	New Rule R140A: Take and use of water from a water storage facility – permitted activity
69.	Rule R.R1: Take and use of water in the Ruamahanga Whaitua - restricted discretionary activity S279/217

### Attachments

6. Counsel **attaches** as Appendix A a table of:
  - (a) The relevant points of appeal as indicated above;
  - (b) The reasons for appeal; and
  - (c) The relevant relief sought.
7. Counsel also provides as Appendix B the contact details for all persons who are required to be served with this Notice of Appeal.
8. Counsel also provide as Appendix C the submissions and further submissions made by Appellant.

Dated: 18 September 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 of the Appellants 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
- (a) 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).

## **Advice to recipients of a copy of this notice of appeal**

### *How to become a party to proceedings*

1. If you wish to be a party to the appeal, you must lodge a notice in form 33 with the Environment Court in Wellington by **5pm, 9 October 2019**.
2. You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).
3. Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

### *How to obtain copies of documents relating to the appeal*

4. The copy of this notice served on you does not attach a copy of the relevant submission, or the relevant decision. These documents may be obtained on request from the Appellants.

### *Advice*

5. If you have any questions about this notice, contact the Environment Court in Wellington.