

BEFORE THE ENVIRONMENT COURT
AT WELLINGTON

ENV-2019-WLG-000112

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 **CATERTON DISTRICT COUNCIL**

Appellants

A N D **GREATER WELLINGTON REGIONAL COUNCIL**

Respondent

**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 Carterton 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) Objective O48: Stormwater Network Outcomes;
- (i) Rangitāne oppose the relief sought by the appellant to amend Objective O48 by inserting the underlined expression ‘significant’ as follows, or other words that have that equivalent effect:
- ‘The significant adverse quality and quantity effects of **stormwater** discharges from the **stormwater networks** and urban land uses are improved over time.’
- (b) Policies P73, P74, P75, P76, and P77, Schedule ‘N’ and Local Authority Stormwater Networks;
- (i) Rangitāne oppose the relief sought by the appellant to delete Policies P73, P74, P75, P76, and P77 or otherwise amend them so that their wording is not finalised and its implementation is deferred until completion of the actions specified in Method M15.
- (ii) Rangitāne oppose the relief sought by the appellant to delete Schedule N or amend it so that its wording is not finalised and its implementation is deferred until completion of the actions specified in Method M15.
- (c) Rules R50 and R51 – Local Authority Stormwater Networks;
- (i) Rangitāne oppose the relief sought by the appellant to delete Rules R50 and R51 and Schedule ‘N’ or otherwise amend them so that their wording is not finalised and its implementation is deferred until completion of the actions specified in Method M15.
- (d) Water Races and Category 2 Surface Water Bodies;
- (i) Rangitāne oppose the relief sought by the appellant to:
- (A) Amend the definition of ‘Category 2 Surface Water Body’ to explicitly exclude water races; or

- (B) Alternatively, amend Rule R97 to clarify that it does not apply to water races; or
 - (C) Such other or further relief to achieve the same outcome.
- (e) Definition of Drain, Rule R122 and R129 and the Management of Water Races;
 - (i) Rangitāne oppose the relief sought by the appellant to:
 - (A) Amend the definition of 'Drain' to explicitly exclude water races; and
 - (B) Amend Rules R122 and R129 to clarify that these rules do not apply to water races; or
 - (C) Such further or other relief as will achieve the same outcome.
- (f) Rules R122 and R129 and the Management of Stormwater Networks;
 - (i) Rangitāne oppose the relief sought by the appellant to:
 - (A) Amend Rules R122 and R129 to clarify that these rules do not apply to stormwater networks; or
 - (B) Amend the definition of 'highly modified river or stream' to clarify it excludes stormwater networks'; or
 - (C) Such further or other relief as will achieve the same outcome.
- (g) Rule R58 Discharge from Water Races;
 - (i) Rangitāne oppose the relief sought by the appellant to amend Rule R58 to specify the discharge of water, including water containing contaminants, from a water race into water is a

permitted activity or controlled activity; or such further or other relief to achieve the same outcome.

- (h) Rule R79 and R80 Discharge of Treated Wastewater to Land;
 - (i) Rangitāne oppose the relief sought by the appellant to:
 - (A) Amend Rule R79 to include the discharge of treated wastewater from a wastewater network; and
 - (B) Include in amended Rule R79 the standards specified in Submission S301/061; or
 - (C) Such further or other relief as will facilitate the discharge to land of treated wastewater from a wastewater network as a controlled activity.
- (i) Definitions of 'Existing' and 'New' Wastewater Discharges and Rule R62;
 - (i) Rangitāne oppose the relief sought by the appellant to:
 - (A) Amend the definition of 'New Discharge' to exclude potential operational changes that might result in beneficial improvements as requested in Submission Point S301/021; and
 - (B) Amend the definition of 'Existing Discharge' to integrate with the amendments requested above to 'New Discharge'; and
 - (C) Amend Rule R62 to provide for all discharges of treated wastewater from a wastewater network as discretionary activities, including where the discharge is found to be necessary and the best practicable option; or
 - (D) Such further or other relief as will achieve the same outcomes.

- (j) Mapping of Community Groundwater Drinking Water Supplies;
- (i) Rangitāne oppose the relief sought by the appellant to amend the on-line GIS map to clearly identify all four of the Carterton District Council community drinking water bores identified in Schedule M2.

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



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 and kuru.ketu@mccawlewis.co.nz.