

BEFORE THE ENVIRONMENT COURT
AT WELLINGTON

ENV-2019-WLG-000126

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 **FEDERATED FARMERS OF NEW ZEALAND**

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 Federated Farmers of New Zealand (“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 R97: Livestock access to a surface water body or the coastal marine area - permitted activity;
- (b) The definition of Livestock;
- (c) Category 2 surface water body;
- (d) The definition of Surface water body;
- (e) Rule R98: Livestock access to the beds of surface water bodies - discretionary activity;
- (f) Rule R98A: Livestock access to any Category 1 surface water body - non complying;
- (g) Rule R99: Earthworks- permitted activity;
- (h) The definition of Earthworks;
- (i) Rule R100: Vegetation clearance on erosion prone land - permitted activity;
- (j) The definition of Erosion prone land;
- (k) The definition of Vegetation clearance;
- (l) Rule R101: Earthworks and vegetation clearance - discretionary activity;
- (m) Rule R37: Agrichemicals into water - permitted activity;
- (n) Rule R82: Discharge of fertiliser from ground-based or aerial discharge - permitted activity;
- (o) Rule R108: Activities in significant natural wetlands - non-complying activity;
- (p) Rule R110: Activities in outstanding natural wetlands - non-complying activity;

- (q) The definition of Drain;
 - (r) The definition of Ephemeral flow path;
 - (s) The definition of Highly modified river or stream;
 - (t) The definition of Significant natural wetland; and
 - (u) The definition of Natural wetland.]
6. Rangitāne oppose the relief sought as it will reduce the level of protection and or provision to ensure the plan aligns with best resource management practises, the National Policy Statement for Freshwater Management and the RMA.
7. The changes sought by Federated Farmers will have a negative impact on the environment, including water way, waterbodies, wetland and site of significance to mana whenua, through allowing various access for live stock or discharges of contaminates. Through the Rangitāne appeal and submissions, enhanced protection has been sought.

Conclusion

8. 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.