

BEFORE THE ENVIRONMENT COURT
AT WELLINGTON

ENV-2019-WLG-000115

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 **MERIDIAN ENERGY LIMITED**

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 Meridian Energy Limited (“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 Biodiversity mitigation;
 - (i) Rangitāne oppose the relief sought to amend the definitions of ‘Biodiversity mitigation’ and/or ‘Biodiversity offset’ and Schedules G1 and G2 and Policies P32 and P41 to enable avoidance, remediation, or mitigation of adverse effects on indigenous biodiversity including by the use of environmental compensation without constraint as to its location.

- (b) Objective O12: Benefits of regionally significant infrastructure;
 - (i) Rangitāne oppose the relief sought to amend Objective O12 to include the wording “and provided for”.

- (c) Policy P24: Assessing outstanding natural character;
 - (i) Rangitāne oppose the relief sought to include the following wording:
 - (A) “and protected from inappropriate use and development”;
 - (B) “and coastal environment”; and
 - (C) “avoiding, remedying or mitigating other adverse effects of activities on all other areas of high natural character”.

- (d) Policy P48: Protection of outstanding natural features and landscapes;
 - (i) Rangitāne oppose the relief sought to include the following wording:
 - (A) “in the coastal marine area and coastal environment”;
 - (B) “within the coastal environment, and”; and
 - (C) “avoiding, remedying or mitigating other adverse effects of activities on all other natural features and landscapes”.

- (ii) Rangitāne also oppose the deletion of “all other” from the policy.
- (e) Rule R101: Earthworks and vegetation clearance - discretionary activity;
 - (i) Rangitāne oppose the relief sought to change the status of the activity to a “restrict” discretionary activities, and the related flow on changes to the matter for direction in the Rule.

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.