

**Before the Environment Court
At Wellington**

ENV-2019-WLG-000125

IN THE MATTER of an appeal under Clause 14 of
the First Schedule of the
Resource Management Act
1991

BETWEEN **Rangitāne Tū Mai Rā Trust and
Rangitāne o Wairarapa
Incorporated Society**
Appellant

AND **Greater Wellington Regional
Council**
Respondent

Notice of intention of **Wairarapa Water User's Incorporated Society** to be a party to
proceedings pursuant to Section 274 of the Resource Management Act 1991

Date: 9 October 2019

To The Registrar
Environment Court
PO Box 5027
Wellington 6145

1. **Wairarapa Water User's Incorporated Society (WWU)** wishes to become a party to the appeal by Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society against the decisions made by Greater Wellington Regional Council (GWRC) on the Proposed Natural Resources Plan.
2. WWU made a submission and further submissions on the matters included in this appeal and has an interest greater than the public generally.
3. WWU is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. WWU is interested in part of the matters appealed by Rangitāne Tū Mai Rā Trust and Rangitāne o Wairarapa Incorporated Society.
5. In particular, WWU is interested in the following issues:

Appeal points 19, 45, 46, 63 and 68.

- Sites of significant values – Objective O31

Reasons for the appeal

There an insufficient assessment of outstanding water bodies in: - The coastal marine area; and - Beds of lakes and rivers. Failing to identify these and include them as part of the Plan does not give effect to the NZCPS (in relation to the coastal environment) and results in it being unlikely that the Plan will be effective in achieving the appropriate management of adverse effects on those landscapes and features.

Appeal Relief Sought

Amend the Objective O31 to ensure:

1. *A full assessment of outstanding natural features and landscapes in the coastal marine area and in the beds of lakes and rivers is completed based on the full range of values (natural science, sensory and shared or recognised) specifically including tangata whenua values;*
2. *Wairarapa Moana and the Ruamahanga River and its tributaries are recorded as Outstanding Water Bodies. Palliser Bay, including the Lake Onoke, is identified as an area of outstanding natural landscape; and*
3. *Undertake an assessment and include maps and other details of all outstanding natural features and landscapes in the Proposed Plan. Describe what the outstanding water bodies and values are to be protected from. Make any consequential amendments to other provisions in the Plan to give effect to this relief.*

- Policies S279/154 and 229

Reasons for the appeal

Provide clear scope and guidance for decision makers to consider the combined effects such as the effects of use of water for irrigation and the related discharges of contaminants from associated irrigated land use.

Appeal Relief sought

Where appropriate, policies should refer to the freshwater objectives and limits rather than “minimised”. Amend all policies to refer to the effects being minimised so that management outcomes are clear.

- Policy P117: Supplementary allocation amounts at flows above the median flow.

Reasons for the appeal

It is not clear how taking up to 50% of flows above median flow for specific rivers is consistent with achieving the objectives of the Plan. The amount of supplementary take for those rivers should be reduced to a more precautionary level, or a framework described to allow appropriate supplementary allocation to be determined on a case-by-case basis.

Appeal Relief sought

Amend the policy and associated rules so that it prescribes a supplementary take regime that is consistent with achieving the objectives, including providing for safeguarding lifesupporting capacity, safeguarding mahinga-kai, preserving natural character, and providing for natural processes, including ecosystem processes, are achieved. Maintaining variable flows within rivers is also important for sustaining mauri.

- Rule 140A: Take and use of water from a water storage facility – permitted activity

Reason for the appeal

Any 'use' of water associated with a storage take will only be for water storage. There should be clear direction either in the policies or in the rule that consideration must be given to the appropriate end use of water taken for storage.

Appeal Relief sought

A definition of 'water storage facility' is necessary to make the effect and scope of this rule certain.

Provide a definition of "water storage facility".

Amend the rule, including the activity status, and associated objectives and policies to ensure clear direction either in the policies or in the rule that consideration must be given to the appropriate end use of water taken for storage, include the consequential effects from the use of that water.

6. WWU opposes part of the relief sought insofar that it is inconsistent with WWU's appeal on the basis that the relief sought by WWU is to ensure the ability to provide water storage for a range of land uses across the Wairarapa.
7. WWU agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 9 October 2019



Leo Vollebregt
Wairarapa Water User's Incorporated Society

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