

**BEFORE THE ENVIRONMENT COURT AT WELLINGTON
I MUA I TE KOOTI TAIAO O AOTEAROA
TE WHANGANUI A TARA ROHE**

ENV-2019-WLG-000106

IN THE MATTER of the Resource
Management Act 1991
(the Act)

AND

IN THE MATTER of an appeal pursuant to
clause 14 of Schedule 1 to
the Act in relation to the
Proposed Natural
Resources Plan for the
Wellington Region

BETWEEN **MINISTER OF
CONSERVATION**

Appellant

AND **WELLINGTON
REGIONAL COUNCIL**

Respondent

**NOTICE OF KAPITI COAST DISTRICT COUNCIL'S INTENTION TO BECOME A
PARTY TO PROCEEDINGS**

9 October 2019

 **Simpson Grierson**

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NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To: The Registrar
Environment Court
Wellington

1. Kāpiti Coast District Council (**the Council**) wishes to be a party to the following proceedings, being an appeal regarding the Proposed Natural Resources Plan (**Proposed Plan**) for the Wellington Region.

ENV-2019-WLG-000106: *Minister of Conservation v Wellington Regional Council*

2. The Council is a local authority (section 274(1)(b) of the Resource Management Act 1991 (**RMA**)).
3. The Council is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
4. The Council is interested in part of the proceedings.
5. The parts of the proceedings the Council is interested in are the appeal points which relate to the following provisions:
 - (a) Policy P27;
 - (b) Policy P70;
 - (c) Policy P71;
 - (d) Policy P102;
 - (e) Policy P138;
 - (f) Policy P143;
 - (g) Policy P144;
 - (h) Rule R122;

- (i) Rule R151; and
- (j) Rule R165.

6. The Council opposes the relief sought by the Minister because:

- (a) The Proposed Plan needs to recognise the benefits and importance of, and provide for, the operation, maintenance and upgrade of infrastructure. This includes appropriate consideration of the potential for other development to affect infrastructure. Although the benefits of infrastructure are acknowledged in the Proposed Plan, the provisions (in particular the rules) appear to focus unduly on the adverse effects of the operation, maintenance and upgrade of key infrastructure;
- (b) The Council considers that the relief sought by the Minister does not appropriately recognise or provide for the operation, maintenance and upgrade of infrastructure, including stormwater networks. In particular, the relief sought may result in unjustifiable constraints on existing and future infrastructure;
- (c) The amendments sought by the Minister do not adequately take into account the need to recognise and provide for existing urban development, and urban growth; and
- (d) The amendments sought to the provisions are not appropriate in terms of section 32 of the RMA and do not meet the purpose of the RMA as expressed in Part 2.

7. The Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 9th day of October 2019


M G Conway / K E Viskovic
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