

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

ENV-2019-WLG-000110

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 **MASTERTON DISTRICT
COUNCIL**

Appellant

AND **WELLINGTON
REGIONAL COUNCIL**

Respondent

**NOTICE OF PORIRUA CITY COUNCIL'S INTENTION TO BECOME A PARTY
TO PROCEEDINGS**

9 October 2019

 **Simpson Grierson**

Barristers & Solicitors

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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. Porirua City 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-000110: *Masterton District Council 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) Definition of “regionally significant infrastructure”;
 - (b) Objective O12;
 - (c) Objective O12A;
 - (d) Policy P7;
 - (e) Policy P8;
 - (f) Policy P12;
 - (g) Clarification of the provisions relating to the maintenance of Council managed drains, water races and highly modified streams, including the mapping of those watercourses;

- (h) Definitions of “existing discharge” and “new discharge”;
- (i) Rule R61;
- (j) Rules R99 and R100; and
- (k) Rule R112.

6. The Council supports the relief sought by Masterton District Council because:

- (a) The Proposed Plan must recognise the 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 Masterton District Council appropriately recognises and provides for the operation, maintenance and upgrade of infrastructure. In particular, the relief sought will go some way to ensuring that existing and future infrastructure is not unjustifiably constrained;
- (c) It also agrees that, without amendment, the provisions of the Proposed Plan have the potential to result in a significant and unjustified regulatory burden for local authorities;
- (d) The matters in the appeal align with the appeal by the Council (ENV-2019-WLG-000116: *Porirua City Council v Wellington Regional Council*) and the submissions which the Council made on the Proposed Plan.

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

DATED this 9^h day of October 2019



J G A Winchester / K E Viskovic
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