

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

ENV-2019-WLG-000131

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 **NZ TRANSPORT
AGENCY**

Appellant

AND **WELLINGTON
REGIONAL COUNCIL**

Respondent

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

9 October 2019

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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-000131: NZ Transport Agency 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 – “regionally significant infrastructure”;
 - (b) Definition – “strategic transport network”;
 - (c) New Policy – Policy Y;
 - (d) New rule: existing structures;
 - (e) Objective O12;
 - (f) Policy P12;
 - (g) Policy P24;

- (h) Policy P28;
- (i) Policy P31;
- (j) Policy P32;
- (k) Policy P35;
- (l) Policy P39;
- (m) Policy P39A;
- (n) Policy P40;
- (o) Policy P42;
- (p) Policy P45;
- (q) Rule R109;
- (r) Rule R167; and
- (s) Rule R205.

6. The Council supports the relief sought by the NZ Transport Agency (**NZTA**) because:

- (a) The Proposed Plan needs to 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 NZTA 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; and

- (c) Amendments to the provisions are needed to ensure they are appropriate in terms of section 32 of the RMA and 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



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