

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

ENV-2019-WLG-000123

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
Decision on the Proposed
Natural Resources Plan
for the Wellington Region

BETWEEN **WELLINGTON WATER
LIMITED**

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**

Barristers & Solicitors

Matt Conway / Katherine Viskovic
Telephone: +64-4-499 4599
Facsimile: +64-4-472-6986
Email: katherine.viskovic@simpsongrierson.com
DX SX 11174
PO Box 2402
Wellington

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-000123: *Wellington Water Limited 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 all of the proceedings.
5. The Council supports the relief sought by Wellington Water Limited (**WWL**) 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) Some flexibility is needed in the Proposed Plan to enable necessary work to manage and maintain infrastructure, and to provide for existing urban development;
 - (c) The Council considers that the relief sought by WWL 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

(d) 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.

6. 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
Counsel for Kāpiti Coast District Council

Address for service:

Simpson Grierson
HSBC Tower
Level 24, 195 Lambton Quay
Wellington
P O Box 2402
Wellington 6140

Attention: M G Conway / K E Viskovic

Email: matt.conway@simpsongrierson.com / katherine.viskovic@simpsongrierson.com
Telephone: 04 924 3536 / 04 924 3430
Facsimile: 04 472 6986