

BEFORE THE ENVIRONMENT COURT

ENV-2019-WLN-000112

AT WELLINGTON

I MUA I TE KOOTI TAIAO

O AOTEAROA

IN THE MATTER

of an appeal under clause 14
of Schedule 1 of the Resource
Management Act 1991

BETWEEN

Carterton District Council

Appellant

AND

**Wellington Regional
Council**

Respondent

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE
MINISTER OF CONSERVATION**

Dated: 9 October 2019

Department of Conservation
Solicitor acting: K Anton/M Downing
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Telephone: 027 427 5900

Notice of person's wish to be a party to proceedings

Section 274 Resource Management Act 1991

To: The Registrar
Environment Court
WELLINGTON

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
 - 1.1. Carterton District Council v Wellington Regional Council,
ENV-2019-WGN-000112
2. The Minister made submissions and appeared at the Council hearing on the proposed Natural Resources Plan for the Wellington Region (proposed Plan). The Minister also has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister is interested in part of the proceedings.
5. The Minister is interested in the following particular issues:
 - 5.1. Objective 48 which relates to stormwater discharges.
 - 5.2. Policies P73, P74, P75, P76 and P77 and Schedule 'N' – Local Authority Stormwater Networks.
6. The Minister opposes the relief sought because:
 - 6.1. The Minister supported Objective O48 as notified. O48 requires improvement in relation to the adverse quality and quantity effects of stormwater discharges from the stormwater networks and urban

land uses over time. If this objective were amended to refer to only *significant* adverse effects as sought by the appellant, then the objective and the proposed Plan itself would not give effect to higher order policy direction including the National Policy Statement for Freshwater Management 2014. Nor would it result in the respondent discharging its functions under s 30(1)(c)(ii) of the Act to maintain and enhance the quality of water in water bodies and coastal water.

6.2. The Minister did not submit on Policies P73, 74, P75, P76 and P 77 or schedule N, but notes that they are marked with the “coastal icon”. As such the Minister of Conservation has an interest greater than the public generally in relation to these policies, together with their potential effect on water quality and freshwater fisheries habitat. The appellant seeks wholesale deletion of these policies and the schedule until such time as the process under a non-timebound method is concluded.¹ Wholesale deletion of these policies and Schedule N as sought would result in the proposed Plan not giving effect to higher order policy direction including the National Policy Statement for Freshwater Management 2014 and the New Zealand Coastal Policy Statement 2010. Nor would it result in the respondent discharging its functions under s 30(1)(c)(ii) of the Act to maintain and enhance the quality of water in water bodies and coastal water.

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



Katherine Anton/May Downing
Solicitor for the Minister of Conservation

¹ Method M15.

9 October 2019

Address for service of person wishing to be a party:

Minister of Conservation

Department of Conservation
18 Manners Street, Wellington 6011

Contact persons

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Advice

If you have any questions about this notice, please contact the Environment Court in Auckland, Wellington, or Christchurch.