

In the Environment Court of New Zealand
at Wellington
I Mua i Te Kōti Taiau o Aotearoa
Te Whanganui a Tara Rohe

ENV-2019-WLG-000112

under: The Resource Management Act 1991

in the matter of: an application under section 274 of the Act

between: **Carterton District Council**
Appellant

and: **Wellington Regional Council**
Respondent

Notice of the New Zealand Transport Agency's wish to be party to
proceeding

Dated: 9 October 2019

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Form 33**NOTICE OF THE NEW ZEALAND TRANSPORT AGENCY'S WISH TO BE PARTY TO PROCEEDINGS**

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Wellington

1 The New Zealand Transport Agency (*Transport Agency*) wishes to be a party to the appeal by Carterton District Council (*Appellant*) on the decision of an independent hearing panel on behalf of the Wellington Regional Council (*Council*) on the Proposed Natural Resources Plan (*Proposed Plan*) (*Decision*).

The Transport Agency's interest in these proceedings

2 The Transport Agency made a submission about the subject matter of the proceedings.

3 The Transport Agency is a person who has an interest in the proceedings that is greater than the interest of the general public. Under the Land Transport Management Act 2003, the Transport Agency must undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest.

4 The Transport Agency is not a trade competitor for the purpose of section 308C of the Resource Management Act 1991 (*RMA*).

5 The Transport Agency is interested in parts of the proceedings that may affect its ability to construct, operate, maintain and upgrade its infrastructure, including in particular the relief sought in relation to Rules 122 and 129.

Relief supported by the Transport Agency

6 The Transport Agency supports the relief sought because it:

- 6.1 Promotes the sustainable management of natural and physical resources;
- 6.2 Promotes the efficient use and development of natural and physical resources;
- 6.3 Results in the most appropriate plan provisions in terms of section 32 of the RMA;
- 6.4 Implements the Council's functions under section 30 of the RMA;

- 6.5 Gives effect to higher order planning documents under section 67(3) of the RMA; and
- 6.6 Is consistent with good resource management practice.
- 7 Without limiting the generality of the reasons outlined above, the specific reasons for the Transport Agency's support include:
- 7.1 In giving effect to the Regional Policy Statement (*RPS*), the Proposed Plan must recognise and protect the social, economic, cultural and environmental benefits of Regionally Significant Infrastructure by providing a strong policy direction to enable the use, operation, maintenance, upgrade and development of Regionally Significant infrastructure;
- 7.2 Requiring resource consent for the removal of vegetation from a drain or highly modified river or stream creates onerous and impractical consenting requirements without an effects based justification, and does not give effect to the provisions in the RPS relating to Regionally Significant Infrastructure and associated activities.

Relief sought

- 8 The Transport Agency seeks the relief sought by the Appellant is accepted, or similar relief.

Mediation

- 9 The Transport Agency agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of New Zealand Transport Agency by its solicitors and authorised agents Chapman Tripp



Paula Brosnahan / Rebecca Tompkins
Partner / Senior Associate

9 October 2019

Address for service of person:

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Advice

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