

**Before the Environment Court
At Wellington
ENV-2018-WLG-000021**

Under Clause 14 of the First Schedule to the Resource
Management Act 1991

Between **Royal Forest and Bird Protection Society of New
Zealand Incorporated**

Appellant

And **Kapiti Coast District Council**

Respondent

**Notice of intention of Wellington Regional Council to become a party
pursuant to section 274 of the Resource Management Act 1991**

Date: 16 February 2018



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Solicitor on the record

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To The Registrar
Environment Court
WELLINGTON

1 Wellington Regional Council (**WRC**) wishes to become a party to the appeal by Royal Forest and Bird Protection Society of New Zealand Incorporated (**Forest & Bird**) against the decisions made by the Kapiti Coast District Council (**KCDC**) on Chapter 1 – Definitions, Chapter 2 – Objectives, Chapter 3 – Natural Environment, Chapter 5 – Living Zones, and Chapter 6 – Working Zones of the proposed Kapiti Coast District Plan (**the Decisions**).

2 WRC is a local authority under the Resource Management Act 1991 (**RMA**) and it made submissions on the subject matter of these proceedings.

3 WRC is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Proceedings

4 WRC is interested in all of the proceedings.

5 In particular, WRC is interested in the following issues:

5.1 The need to ensure the protection of significant areas of indigenous vegetation and the significant habitats of indigenous fauna.

5.2 Consistency of the provisions in the Decisions with the Proposed Natural Resources Plan.

6 Consistency of the provisions in the Decisions with the higher order documents and the RMA.

Position on the relief sought

7 WRC supports the relief sought at point 11 of the notice of appeal for the following reasons:

7.1 It is not clear that excluding planted indigenous vegetation from ‘indigenous vegetation’ is the most effective means of protecting indigenous biodiversity in the District. Among other concerns, the definition in the Decisions appears to ignore the important biodiversity values provided by planted indigenous vegetation, whether through restoration plantings or plantings to mitigate the adverse effects of use and development.

7.2 The Decisions are consistent with the provisions in the Proposed Natural Resources Plan and any changes to definitions and thresholds for earthworks need to be assessed for the potential to create overlap and inconsistencies between the two planning regimes.

Mediation

8 WRC agrees to participate in mediation or other alternative dispute resolution in the proceedings.

Date: 16 February 2018



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Kerry Anderson
Counsel for the Wellington Regional
Council

This document is filed by Kerry Anderson of DLA Piper New Zealand, solicitor for the Wellington Regional Council.

The address for service on the Wellington Regional Council is at:
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Documents for service on the Wellington Regional Council may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 2791, Wellington 6140, or
- transmitted to the solicitor by fax on +64 4 472 7429.

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