

**BEFORE THE ENVIRONMENT COURT
AUCKLAND**

**I MUA I TE KOOTI TAIAO O AOTEAROA
I TE TĀMAKI MAKĀURAU ROHE**

ENV-2024-AKL-000049

UNDER the Resource Management Act 1991 (the Act)

IN THE MATTER of an appeal under Clause 14(1) of Schedule 1 of the Act

BETWEEN **KIWIRAIL HOLDINGS LIMITED**
Appellant

AND **BAY OF PLENTY REGIONAL COUNCIL**
Respondent

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS PURSUANT TO
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

Dated: 17 April 2024

CooneyLeesMorgan

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NOTICE OF PERSON'S WISH TO BE A PARTY TO PROCEEDINGS
Section 274, Resource Management Act 1991

To: the Registrar
Environment Court
Auckland

1. Western Bay of Plenty District Council (**Council**) wishes to be a party to the appeal by KiwiRail Holdings Limited to decisions made by Bay of Plenty Regional Council on Proposed Change 6 to the Bay of Plenty Regional Policy Statement (**PC6**).
2. Council is a local authority and made a submission on PC6.
3. Council is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Council is interested in all of the proceedings. Council is interested in policies relating to urban development and growth, particularly those that apply within its district.
5. Council opposes the relief sought in the appeal because:
 - (a) Through initiatives such as SmartGrowth, Council works collaboratively with Bay of Plenty Regional Council and other territorial authorities, tāngata whenua, and central government to manage urban development within the Western Bay of Plenty. Council supports PC6 on the basis that it aligns with this work.
 - (b) As a territorial authority Council is required to give effect to the provisions of the Regional Policy Statement.¹ Council has an interest in the PC6 provisions which were proposed in response to the National Policy Statement for Urban Development 2020.
6. Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

¹ Including within the District Plan (s 73(4) the Act) and to have regard to the RPS under s 104(b)(v) the Act.



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