



### Kerry Anderson

**Partner**

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### Wellington

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Kerry Anderson focuses on all aspects of local government, public and resource management law.

Kerry provides advice on resource consent issues, designations, plan drafting and interpretation, mediation, drainage, roading issues, elections, bylaws, decision making processes, judicial review, Council hearings, Environment Court appeals, High Court proceedings, Board of Inquiry hearings and an extensive range of enforcement matters, including prosecutions across a wide variety of local government legislation.

She has experience in large infrastructure projects and has had involvement in a number of New Zealand's "roads of national significance", prisons, landfill/recycling facilities, wind farms and wastewater treatment plants, usually on behalf of Government or local government clients.

### LANGUAGES SPOKEN

- English

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- Appeared in many council hearings and in numerous resource consent appeals before the Environment Court and High Court. These matters include greenfields subdivisions, large infrastructure projects (including the biosolids and wastewater plants in Wellington, the southern landfill, the West Wind Mill Creek Wind Farm and Castle Hill Wind Farms) and other contentious developments, such as large apartment blocks, waterfront development and new commercial buildings. Currently involved in the Wellington International Airport runway extension on behalf of local government clients.
  - Involved with many local authority policy teams in relation to plan preparation, providing advice on matters such as the overall approach to drafting, Resource Management Act process, scope of plan changes/submissions and section 32 issues. Examples include the private plan change to the Regional Plan sought by NZ Transport Agency in relation to the Transmission Gully project and a variety of regional plan issues in Marlborough. Leader of the DLA Piper team appointed as Greater Wellington Regional Council's main provider for legal services on the full Regional Plan review. Also led the process of numerous plan changes in Wellington's 'rolling review' of the chapters of its operative district plan (81 plan changes to date).

- Environment, Health and Safety
- Construction and Engineering
- Projects, Energy and Infrastructure
- Litigation, Arbitration and Investigations
  
- Infrastructure, Construction and Transport

English

- Appeared for local authorities in the Environment Court in relation to a variety of plan change appeals and attending numerous mediations in relation to plan change appeals. Since 1999, Kerry has been involved in the appeals relating to the first Proposed Plan for Wellington City (currently its Operative Plan) and, more recently, all of the Plan Changes in Wellington's 'rolling review' of the chapters of its operative District Plan. Since the District Plan became operative in 2000, Kerry has been involved in most of the 81 plan changes.
- Led a team with Stephen Quinn on behalf of the Department of Corrections in relation to an alteration to a designation to allow for a new men's prison in Manukau. This was a four week hearing in front of a Board of Inquiry. Also led a team on the Transmission Gully roading project on behalf of Wellington Regional Council, as a submitter, which involved eight notices of requirement and 22 resource consents, and the MacKays to Peka Peka proposal, which involved one notice of requirement and 29 resource consents. These involved a six week hearing and a two month hearing commencing before Boards of Inquiry. Also led the team for the Wellington Regional Council on the Peka Peka to North Otaki project in 2013 and the team for Wellington City Council in the Basin Bridge proposal in central Wellington in 2014, which involved a six month hearing. Acted as legal adviser to the Board on the Christchurch Southern Motorway proposal. Involved in designations on behalf of council clients as requiring authorities (eg the Inner City Bypass, the wastewater treatments plants and landfill).
- Appeared in a number of judicial review proceedings in the High Court regarding non-notification decisions by councils and decisions on plan change processes, and is often involved in the review of decisions that may be challenged.
- Extensive experience in all aspects of enforcement under local government legislation, including numerous prosecutions regarding breaches of the Resource Management Act, Dog Control Act, Health Act/Food Hygiene Regulations and local bylaws (in particular, parking). Involved in successfully obtaining and resolving a number of enforcement orders under the Resource Management Act, appeals in relation to abatement notices, infringement notice challenges, and providing general advice and training on enforcement options available and gathering suitable evidence. Extensive involvement advising on a variety of regulatory regimes, including the new Sale and Supply of Alcohol Act, Dog Control Act and Local Government Act 1974 and 2002.
- Regularly advises local government clients on a wide range of issues, including decision making principles and processes, judicial review, Local Government Official Information and Meetings Act processes, conflicts, standing orders, election issues and delegations. Kerry has extensive experience in bylaw making processes and drafting/review of bylaws, as well as enforcement of them. She also regularly advises on legislative change and has appeared in the Select Committee to support submissions on such change, as well as helping clients implement new processes and systems in light of changes that regulate their business.
- Honorary Solicitor for the NZ Parking Association and has been for at least ten years. Presents at the annual conference each year on topical issues and leads a team who is involved in all parking and traffic matters for the Wellington City Council. This involves advice on bylaw provisions (both the drafting and enforcement of them), as well as challenges of infringement notices to the District Court and all appeals to the High Court from those notices.

## CREDENTIALS

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### Professional Qualifications

- Barrister and Solicitor of the High Court of New Zealand, 1997

### Prior Experience

- Prior to joining DLA Piper, Kerry worked as a research assistant at the Otago Law Faculty and then for Dr Royden Somerville QC, a well-known environmental practitioner from Dunedin.

### Recognitions

- Kerry is ranked as a leading Environment & Resource Management lawyer in the Chambers Asia-Pacific 2019 rankings. Chambers noting that Kerry is "particularly noted for her work with regional and city councils in housing projects and regulatory issues".
- Kerry is given particular mention in the Legal 500 Asia-Pacific rankings 2018 for her "practice including work on resource consent issues, designations, plan drafting and interpretation, mediation, drainage and roading."
- Kerry was ranked as a leading Environment & Resource Management lawyer in Chambers Asia-Pacific 2017 "Kerry Anderson is commended for having '*superb judgement and providing timely and quality advice.*' She maintains a notable practice acting on behalf

of government entities in all aspects of large infrastructure projects, as well as routinely representing her clients in the Environment Court."

- Kerry was ranked as a leading Environment & Resource Management lawyer in Chambers Asia-Pacific 2016, with Chambers noting that she is "hailed as 'pragmatic and easy to work with,' Kerry Anderson is noted for her deft work on behalf of local government bodies during all stages of transportation and other infrastructure projects as diverse as roads and wastewater treatment facilities."
- Kerry was ranked as a leading Environment & Resource Management lawyer in Chambers Asia-Pacific Guide 2015, with Chambers commenting that "Kerry Anderson continues to rise in prominence in the resource management space. One appreciative interviewee enthused that 'she is very shrewd and has a great knowledge of process.'"
- Kerry was ranked as an "Up and Coming" Environment & Resource Management lawyer by Chambers Asia-Pacific Guide 2014, described as follows: "Kerry Anderson continues to build on her flourishing reputation within resource management, with clients saying: 'She has earned her stripes. She is doing that work really well.'"

## Education

- University of Otago, LLB, 1997

## Memberships

- New Zealand Law Society
- Honorary Solicitor, New Zealand Parking Association
- Resource Management Law Association

## INSIGHTS

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### Publications

#### Public Decision Making Newsletter - Autumn 2022

20 June 2022

This newsletter summarises recent developments in law relating to resource management and local government in New Zealand that may be of interest to local authorities and decision makers.

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#### Public Decision Making Newsletter - Summer 2022

4 April 2022

This newsletter summarises recent developments in law relating to resource management and local government in New Zealand that may be of interest to local authorities and decision makers.

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#### Public Decision Making Newsletter - Spring 2021

2 December 2021

This newsletter summarises recent developments in law relating to resource management and local government in New Zealand that may be of interest to local authorities and decision makers.

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#### Public Decision Making Newsletter - Winter 2021

9 August 2021

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## Exposure Draft of the Natural and Built Environments Bill released for consultation

30 June 2021

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## Public Decision Making Newsletter - Spring 2020

23 SEPTEMBER 2020

This newsletter summarises recent developments in law relating to resource management and local government in New Zealand that may be of interest to local authorities and decision makers.

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## Public Decision Making Newsletter - July 2020

15 JULY 2020

This newsletter summarises recent developments in law relating to resource management and local government in New Zealand that may be of interest to local authorities and decision makers.

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## NEWS

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### Kerry Anderson named as one of NZ Lawyer's Elite Women 2021

17 December 2021

DLA Piper resource management and local government Partner, Kerry Anderson has been named in the **NZ Lawyer's Elite Women 2021** list, celebrating the exceptional work of women who are leading the way in the legal profession.

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### DLA Piper wins two awards in the beaton Client Choice Awards 2021 (New Zealand)

23 March 2021

As voted by our clients, DLA Piper in New Zealand has been named the winners of two categories in the prestigious **beaton** Client Choice Awards 2021.

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### DLA Piper (New Zealand) recommended in the 2021 edition of the Legal 500 Asia Pacific

18 January 2021

DLA Piper New Zealand has been recommended across a broad range of practice areas in the latest edition of the *Legal 500 Asia Pacific*, retaining Tier 1 rankings in both Investment Funds and Insurance.

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