

In the Environment Court
At Wellington

ENV-2024-WLG-000043

I te Kōti Taiao o Aotearoa
KiTe Whanganui-a-Tara

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

Between **PORIRUA CITY COUNCIL**
Appellant

And **WELLINGTON REGIONAL COUNCIL**
Respondent

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS ON BEHALF OF KĀPITI COAST
DISTRICT COUNCIL**

Dated: 9 December 2024



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To: The Registrar
Environment Court
Wellington

Introduction

1. Kāpiti Coast District Council (**Council**) gives notice that it wishes to be a party to the appeal by Porirua City Council (**PCC**) against the decision of the Wellington Regional Council (**Greater Wellington**) on proposed change 1 to the Wellington Regional Policy Statement (**RPS**) (**PC1**).
2. The Council is a local authority in accordance with s274(1)(b) of the Resource Management Act 1991 (**RMA**). The Council made a submission on PC1 and has also appealed part of Greater Wellington's decision on PC1 (ENV-2024-000054).
3. The Council is not a trade competitor for the purposes of 308C or 308CA of the RMA.

Interest in proceedings

4. The Council is interested in part of the proceeding.
5. The Council supports the relief sought by PCC to the extent that it is consistent with the Council's appeal, and as set out in this notice.
6. Specifically, the Council supports the relief sought by PCC on the provisions related to Indigenous Biodiversity, Climate Change, Natural Hazards and Urban Development, particularly where these provisions require implementation through district plans.

Climate Change provisions

- 7.** The Council supports the relief sought by PCC in relation to the following policies:
 - (a) Policy CC.2;
 - (b) Policy CC.2A; and
 - (c) Policy CC.8.

- 8.** The Council supports the relief sought by PCC in relation to the above provisions as it considers that they lack clarity, and because they require territorial authorities to undertake actions that fall beyond the jurisdiction of the RMA (including the Council's functions and responsibilities).

- 9.** The Council also supports the deletion the timeframe for implementation prescribed by Policy CC.2 as this is considered to be unrealistic and unachievable for the relevant territorial authorities.

Indigenous Biodiversity provisions

- 10.** The Council supports the relief sought by PCC in relation to the following policies:
 - (a) Policy 23;
 - (b) Policy 24; and
 - (c) Objective 16.

- 11.** The Council supports deletion of the timeframe referenced in Policies 23 and 24 to ensure consistency with the Resource Management (Freshwater and Other Matters) Amendment Act 2024, and the consequential suspension of the National Policy

Statement for Indigenous Biodiversity requirement to identify significant natural areas within a specified timeframe.

- 12.** The Council supports the amendments proposed to Policies 23 and 24 to clarify their application, and to better implement Objective 16.
- 13.** The Council supports removal of “ecosystem processes” from Policy 24 due to the uncertainty of this term.
- 14.** The Council also supports the relief sought to Objective 16 as it considers that the relief sought better aligns with section 6(c) of the RMA, and it supports the removal of the term “ecosystem processes” from this provision.

Urban Development provisions

- 15.** The Council supports the relief in relation to the provisions below:
 - (a) Definition – high density development;
 - (b) Definition – medium density development;
 - (c) Policy 31; and
 - (d) Policy 56.
- 16.** The Council supports the amendments sought to Policy 31 and the definitions of “high density development” and “medium density development”, to ensure consistency, and avoid duplication with the National Policy Statement on Urban Development 2020.
- 17.** The Council supports the amendments sought to Policy 56 because it ensures that the policy is clearer and therefore easier

to apply. The proposed amendments also avoid duplication of matters which are already addressed by other policies.

Mediation

- 18.** The Council agrees to participate in mediation or other alternative dispute resolution for this proceeding.

DATED at Wellington this 9th day of December 2024



Matt Conway / Katherine Viskovic

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