

In the Environment Court
At Wellington

ENV-2024-WLG-000046

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 **WELLINGTON CITY COUNCIL**
Appellant

And **WELLINGTON REGIONAL COUNCIL**
Respondent

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS ON BEHALF OF PORIRUA CITY
COUNCIL**

Dated: 9 December 2024



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To: The Registrar
Environment Court
Wellington

Introduction

1. Porirua City Council (**Council**) gives notice that it wishes to be a party to the appeal by Wellington City Council (**WCC**) 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 appealed parts of Greater Wellington's decision on PC1 (ENV-2024-000043).
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 appeal by WCC.
5. The Council is interested in the parts of the appeal that relate to relief sought on the Climate Change, Natural Hazard and Urban Development provisions, particularly where these provisions require implementation through district plans.

Climate Change provisions

6. The Council supports the relief sought by WCC in relation to the following climate change policies:
 - (a) Policy CC.2; and

(b) Policy CC.2A.

7. The Council supports the deletion of the above policies as they lack clarity, and because they require territorial authorities to undertake actions that sit outside the jurisdiction of the RMA (including the Council's functions and responsibilities).

8. The Council opposes the relief sought by WCC in relation to the following climate change policies:

(a) Policy CC.9; and

(b) Policy CC.10.

9. The Council considers that the reduction of greenhouse gases from transport and freight is a relevant consideration when determining applications for resource consent, and in the consideration of notices of requirement. The Council does not support the application of these policies to plan change processes as they impose an unnecessary regulatory burden (and administrative cost) on most plan changes, as these policies will only be relevant to some plan changes.

Natural Hazard provisions

10. The Council supports the relief sought by WCC in relation to the following provisions:

(a) Policy 29; and

(b) Policy 51.

11. The Council supports the amendments sought by WCC to these policies because there should be a pathway for subdivision, use and development in high hazard areas where risk can be managed. As currently drafted these policies could

disproportionately restrict development and could create issues in the Porirua context (given the location of hazards in the City Centre).

Urban Development provisions

- 12.** The Council supports the relief sought by WCC in relation to the following provisions:
- (a) Policy 31;
 - (b) Policy 55;
 - (c) Policy 57;
 - (d) Policy UD.3;
 - (e) Policy UD.4 (supports deletion only); and
 - (f) Policy UD.5.
- 13.** The Council supports deletion of Policy 31 as it is unclear, and it is inconsistent with the National Policy Statement for Urban Development 2020.
- 14.** The Council supports deleting reference to the application of Policies 51, 55, UD.5¹ and 57 when considering resource consents as these policies will be best achieved through district plans rather than consideration of the RPS at the individual consent level.
- 15.** The Council supports the other relief sought to Policy UD.5 as these requirements are not necessary.
- 16.** The Council supports the other relief sought to Policy 57 as the amendments proposed remove overly prescriptive direction, including the requirements imposed on resource consent applicants.

¹ For completeness, PCC seeks deletion of Policy UD.5 in its entirety through its appeal.

17. The Council supports the relief sought on Policies UD.3, UD.4 and 55 as it will provide clearer, more appropriate direction that will not unduly constrain urban development (which will enable the development of additional housing capacity).

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



Mike Wakefield / Katherine Viskovic

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