

In the Environment Court  
At Wellington

ENV-2024-WLG-000047

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** **HUTT CITY COUNCIL**  
Appellant

**And** **WELLINGTON REGIONAL COUNCIL**  
Respondent

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**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 Hutt City Council (**HCC**) 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-2024-000043).
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 proceedings.
5. The Council supports the relief sought by HCC to the extent that it is consistent with its appeal, and as set out in this notice.
6. *Climate Change provisions* Specifically, the Council supports the relief sought by HCC on the provisions which broadly relate to Climate Change, Natural Hazards and Urban Development.
7. The Council supports the relief sought by HCC in relation to the following provisions:

- (a) Objective CC.2;
  - (b) Policy CC.2;
  - (c) Policy CC.2A; and
  - (d) Objective CC.3.
- 8.** The Council supports the relief sought to Objectives CC.2 and CC.3 because these objectives direct actions that fall beyond the jurisdiction of the RMA, and therefore impose an unworkable regulatory burden on territorial authorities.
- 9.** The Council supports deletion of policies CC.2 and CC.2A because 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).

*Natural Hazard provisions*

- 10.** The Council supports the relief sought by HCC in relation to the following provisions:
- (a) Objective 19;
  - (b) Policy 29; and
  - (c) Policy 51.

*Urban Development provisions*

- 11.** The Council supports the relief sought to these provisions as it will remove the overly restrictive criteria set out in these provisions, and provide a pathway for subdivision, use and development where risk can be managed. The decisions version of these provisions is considered to disproportionately restrict development and create issues in the Porirua context (given the location of hazards in the City Centre).
- 12.** The Council supports the relief sought by HCC in relation to the following provisions:

- (a) "Urban Zones" – Definition; and
  - (b) Policy 57.
- 13.** The Council supports the relief sought to the definition of "urban zones" as an alternative to the deletion of this definition as sought in its appeal.<sup>1</sup> The Council supports the amendment of this definition to remove the current inconsistencies between this definition and the Proposed Porirua District Plan.
- 14.** The Council supports the relief sought to Policy 57 as an alternative to the deletion of this definition as sought in its appeal.<sup>2</sup> The amendments proposed by HCC will reduce the potential social and economic costs that may result from limiting where development can occur if the version of Policy 57 in the Decisions Version is applied.

**Mediation**

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

**DATED** at Wellington this 9<sup>th</sup> day of December 2024



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Mike Wakefield / Katherine Viskovic

Counsel for Porirua City Council

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

<sup>2</sup> For completeness, PCC seeks deletion of changes made to Policy 57 through PC1 in their entirety through its appeal.

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