

**In the Environment Court
Wellington Registry
I Mua I Te Kōti Taiao O Aotearoa
Te Whanganui-ā-Tara Rohe**

ENV-2019-WLG-000123

Under the Resource Management Act 1991
And in the matter of an application under Section 274 of the Act

Between

Wellington Water Limited

Appellant

and

Greater Wellington Regional Council

Respondent

**Notice of Kāinga Ora - Homes and Communities' wish to
be party to proceedings**

9 October 2019

BELL GULLY

BARRISTERS AND SOLICITORS
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To: The Registrar
Environment Court
Wellington

1. Kāinga Ora-Homes and Communities (**Kāinga Ora**) wishes to be a party to the following proceedings:
 - (a) *Wellington Water Limited v Greater Wellington Regional Council*
– ENV-2019-WLG-000123.
2. Kāinga Ora is a person who has an interest in the proceedings that is greater than the interest that the general public has. Kāinga Ora was established on 1 October 2019 and has two key roles:
 - (a) being a world-class public housing landlord; and
 - (b) working in partnership to enable, facilitate and build urban development projects of all sizes.
3. Kāinga Ora has significant housing and urban development interests in the Greater Wellington Region.
4. In November 2018, the Government announced a \$1.5 billion investment over the next 25 years to revitalise eastern Porirua. The Porirua Development plan includes replacing older state homes, creating opportunities for home ownership through affordable homes and housing for sale on the open market. In addition to housing, Porirua Development seeks to revitalise the eastern Porirua neighbourhoods and improve the wellbeing of eastern Porirua residents. Kāinga Ora is partnering with Porirua City Council and Ngāti Toa to deliver the Porirua Development.
5. The redevelopment of eastern Porirua, and potentially other areas in the Greater Wellington Region, will need to be supported by strategic and local infrastructure, including upgrades, to ensure that housing is not only warmer, drier and safer but is also sustained by resilient infrastructure. The planning framework will potentially have a significant bearing on the type, rate and extent of such redevelopment.

6. Kāinga Ora is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.
7. Kāinga Ora is interested in all of the proceedings.
8. Kāinga Ora is interested in the following particular issues identified in the appeal:
 - (a) the deficiency of the Proposed Plan to provide for and enable infrastructure, and to recognise the significant benefits of infrastructure, especially for urban development;
 - (b) the introduction of flexibility to a number of 'avoid' policies in the Proposed Plan, to enable the maintenance, operation and upgrade of infrastructure;
 - (c) providing for feasible consent pathways for upgraded infrastructure;
 - (d) ensuring the Proposed Plan recognises the use of water for urban development purposes;
 - (e) recognising the significant benefits of the wastewater network and ensuring its continued operation is not unnecessarily constrained by the Proposed Plan;
 - (f) recognising the practicalities associated with stormwater discharges and the benefits of the existing stormwater infrastructure;
 - (g) the introduction of flexibility for the maintenance, operation and upgrade of infrastructure in, on and over the beds of rivers; and
 - (h) ensuring that fish passage requirements do not unreasonably impede the maintenance, operation and upgrade of infrastructure.
9. Kāinga Ora supports the relief sought because—
 - (a) Kāinga Ora is partnering with Porirua City Council to deliver the Porirua Development plan and the Appellant is a significant

stakeholder in that development. The relief sought by the Appellant seeks to recognise and enable infrastructure associated with urban development;

- (b) there are existing acknowledged water quality issues associated with infrastructure in Porirua, and it is not practical or feasible to avoid effects on water quality from the outset, including effects which arise from infrastructure upgrades to support urban renewal. Urban renewal and associated upgrading and replacing of infrastructure may potentially increase adverse effects on water quality in the short term, but will ultimately result in medium to long term benefits to water quality. The Proposed Plan should recognise and provide for infrastructure upgrades and urban renewal where these developments will result in better water quality outcomes;
- (c) infrastructure should not be unjustifiably constrained by the Proposed Plan; and
- (d) some flexibility is required in the Proposed Plan to enable the necessary work to maintain and upgrade infrastructure to support urban development.

10. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution of the proceedings.



A J L Beatson / J A Gregory
Counsel for Kāinga Ora-Homes and Communities

Dated 9 October 2019

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.