

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 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 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 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 is interested in the part of the proceeding that relates to the 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 provisions:
 - (a) Policy CC.1;
 - (b) Policy CC.2;
 - (c) Policy CC. 2A; and
 - (d) Policy CC.9.

7. The Council supports the deletion of Policies CC.1, CC.2 and CC.2A because they require territorial authorities to undertake actions that fall beyond the jurisdiction of the RMA (including the Council's functions and responsibilities). Policies CC.2 and CC.2A additionally provide a timeframe for implementation which is unrealistic and unachievable.

8. The Council supports deletion of Policy CC.9 because there is no legislative basis for district plans and resource consent decisions by territorial authorities to prioritise or assess greenhouse gas emissions. The Council agrees that this policy will place an unreasonable administrative burden on territorial authorities.

Natural Hazard provisions

9. The Council supports the relief sought by WCC in relation to Policy 29 as the appeal seeks to remove the overly restrictive criteria in this provision, and provides a pathway for subdivision, use and development where risk can be managed. As currently drafted, this provision limits activities to an extent that is disproportionate to what is necessary to give effect to national direction on natural hazards.


Urban Development provisions

10. The Council supports the relief sought by WCC in relation to Policy 31.
11. The Council supports deletion of Policy 31 as it is unclear and does not give effect to the National Policy Statement for Urban Development 2020.

Mediation

12. 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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