

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

ENV-2019-WLG-000119

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

Between

Wellington City Council

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 City Council v Greater Wellington Regional Council* – ENV-2019-WLG-000119.
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:
 - (a) Policy P102's requirement to avoid reclamation or drainage of the beds of lakes and rivers and natural wetlands; and
 - (b) The definition of regionally significant infrastructure.
9. Kāinga Ora supports the relief sought because—
 - (a) Policy P102 creates a clear policy direction to avoid reclamation or drainage of beds of lakes and rivers and natural wetlands.
 - (b) In light of the Supreme Court's decision in *King Salmon*,¹ as a partner and enabler of housing and urban development projects, Kāinga Ora agrees that Policy P102 creates a difficult planning regime to comply with when applying for a resource consent to establish, upgrade, operate or maintain infrastructure necessary for the functioning of urban areas in the Wellington region, such as roading and landfills.
 - (c) Policy P102 should either be amended, or the definition of regionally significant infrastructure should be amended to exclude infrastructure necessary for the operation of urban areas from being subject to Policy P102.

¹ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [96].

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

Address for service:

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Advice

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