

**IN THE ENVIRONMENT COURT
AT WELLINGTON
TE KŌTI TAIAO O AOTEAROA**

ENV-2024-WLG-000048

IN THE MATTER

An appeal under Schedule 1 of the Resource Management Act 1991 to Greater Wellington Regional Councils Regional Policy Statement Change 1.

BETWEEN

UPPER HUTT CITY COUNCIL

Appellant

AND

**GREATER WELLINGTON REGIONAL
COUNCIL**

Respondent

**AMENDED NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS
UNDER SECTION 274 ON BEHALF OF WAIKANAE NORTH
DEVELOPMENTS LIMITED**

11 February 2025

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To The Registrar
Environment Court
Wellington

**AMENDED NOTICE OF INTENTION TO BE A PARTY TO
PROCEEDINGS UNDER SECTION 274**

1. Waikanae North Developments Limited (**WNDL**) has given notice that it wishes to be a party to the following proceeding:
 - a) Upper Hutt City Council's (**HCC**) appeal against the decision of the Wellington Regional Council on proposed Plan Change 1 to the Wellington Regional Policy Statement.
2. WNDL made a submission and further submission on Change 1.
3. WNDL has an interest in the proceedings that is greater than the interest that the general public has. WNDL is a land developer and owns a large greenfields site at Waikanae. The WNDL site has been identified as a high priority development and is a listed project under the Fast Track Approvals Bill. It is a regionally significant land development project. The WNDL site is affected by the provisions of proposed Plan Change 1.
4. WNDL is not a trade competitor for the purposes of section 308 of the Resource Management Act 1991.
5. WNDL is directly affected by an effect of the appeal that:
 - (a) Adversely affects the environment; and
 - (b) Does not relate to trade competition or the effects of trade competition.
6. WNDL is interested in **parts** of the proceeding. The parts of the proceedings WNDL is interested in are:
 - (a) The definitions '*Ecosystem processes*' and '*Environmentally responsive*'

- (b) Objective 16
- (c) Objective 22
- (d) Policy 23
- (e) Policy 24
- (f) Policy 47
- (g) Policy 55
- (h) Policy 56
- (i) Policy UD.4
- (j) Policy CC.1
- (k) Policy CC.2
- (l) Policy CC.2A
- (m) Policy CC.11

7. In particular, WNDL is interested in any aspects of the appeal that could result in changes to the RPS- PC1 that assist to ensure that PC-1 (and the RPS):
- (a) properly recognises the importance and benefits to the region of appropriately located and well-designed greenfield housing developments to achieve well-functioning urban development and rural areas;
 - (b) provides policy support for greenfield housing in the region that contributed to well-functioning urban development and rural areas;
 - (c) ensures that land that is suitable for greenfield housing development is not sterilised as a result of the Policy framework implemented through RPS-PC-1;
 - (d) introduces policy that gives effect to NPS-FM and NPS-UD in a more balanced way than the notified version, by ensuring that it gives appropriate recognition to the use as well as to the protection elements of National Directions;

- (e) does not overreach by attempting to manage the effects of climate through planning instruments in a manner that fails to adequately recognise and provide for the benefits of greenfield housing and other development and which does not properly recognise the relative efficiency of other policy, statutory and economic levers to manage greenhouse gas emissions, rather than attempting to manage these effects indirectly and inefficiently by restricting greenfield housing opportunities and other activities; and
 - (f) avoids unnecessary duplication or repetition; and
 - (g) does not include unduly restrictive reference to compact urban form that would limit greenfield development, including integrating land use and transportation.
8. WNDL **supports** the requested relief sought by UHCC appeal in relation to the following specific provisions:
- (a) Deletion of the definitions '*Ecosystem processes*' and '*Environmentally responsive*';
 - (b) Amendments sought to Objective 16 that limits the scope of the objective to be consistent with the NPS-IB;
 - (c) Amendments to Policy CC.1 to make less onerous and inflexible;
 - (d) Amendments to Policy CC.2 to make less onerous and to ensure the use of public transport and active modes can be provided for;
 - (e) Deletion of Policy CC.2A;
 - (f) Deletion of Policy CC.11
9. WNDL **opposes** the requested relief sought by UHCC's appeal in relation to the following specific provisions:

- (a) Amendments to Policy 23 which adopts the decision version of the policy – WNDL prefers the decision version with the amendments sought by Winstone Aggregates in its appeal;
 - (b) Amendments to Policy 24 – WNDL prefers Policy 24 in the decisions version to be retained with amendments to Policy 24A as sought by Winstone Aggregates in its appeal;
 - (c) Amendments to Policy 47 – WNDL prefers Policy 47 as included in the decision version with the exception of the deletion of the second part of clause (i) that refers to the principle of offsetting and biodiversity compensation in Policy 24A as sought by Winstone Aggregates in its appeal;
 - (d) Amendments to Objective 22 to remove the level of detail – this detail is considered appropriate and helpful for consideration of future subdivision, use and development projects.
 - (e) Deletion or amendments to Policy 55 and in particular the change in the intent of the policy to apply only to greenfield urban development and the deletion of the Explanation;
 - (f) Amendments to Policy 56 intended to remove undue constraints on development capacity – the amendments sought are not considered to achieve this outcome;
 - (g) Deletion of Policy UD.4
10. WNDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 11 February 2025.



A Beatson

For Waikanae North Developments Limited

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