

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

ENV-2024-WLG-00043

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 **PORIRUA 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) Porirua 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 proposed Change 1 to the Regional Policy Statement.
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 interested in parts of the proceedings. The parts of the proceedings WNDL is interested in are:
 - (a) Definition of '*ecosystem processes*' and '*environmentally responsive*' and '*travel choice assessment*'
 - (b) Objectives CC.2 and CC.3
 - (c) Objective 16
 - (d) Policies CC.2 and CC.2A

- (e) Policy 23
 - (f) Policy 24
 - (g) Policy 47
 - (h) Policy IE.2A
 - (i) And any consequent amendments or other relief arising from the appellant's appeal on these points.
6. WNDL is interested in any aspects of the proceeding 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 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 development that contributes to well-functioning urban development and rural areas in the region;
 - (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;

- (f) does not include unduly restrictive references to compact urban form that would limit greenfield development, including integrating land use and transportation; and
- (g) avoids unnecessary duplication or repetition.

7. WNDL **supports** the requested relief sought by PCC's appeal, to the extent it is consistent with or will achieve the outcomes sought by WNDL's appeal in relation to the following specific provisions:


- (a) Deletion of the definitions '*Ecosystem processes*' and '*Environmentally responsive*'
- (b) Deletion of Objective CC.2
- (c) Amendments sought to Objective 16 that limits the scope of the objective to be consistent with the NPS-IB;
- (d) Deletion of Policy CC.2 or otherwise amendment to allow for non-regulatory methods to promote changes in travel mode choices and remove timeframe implementation;
- (e) Deletion of Policy CC.2A

8. WNDL **opposes** the requested relief sought by the PCC's appeal, to the extent it is inconsistent with or would not achieve the relief sought by the WNDL 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 as sought by Winstone Aggregates in its appeal;
 - (d) Amendments to Policy IE.2A to be a regulatory policy rather than a consideration policy – is not a practicable restriction and would not give better effect to the NPS-IB. WNDL seeks Policy IE.2A be deleted in its entirety.
9. WNDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 11 February 2024.



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For Waikanae North Developments Limited

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