

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

ENV-2024-WLG-000048

IN THE MATTER the Resource Management Act 1991

AND

IN THE MATTER OF An appeal under clause 14(1) of Schedule 1 of the
Resource Management Act 1991

BETWEEN **UPPER HUTT CITY COUNCIL**

 Appellant

AND **WELLINGTON REGIONAL COUNCIL**

 Respondent

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS UNDER
SECTION 274 ON BEHALF OF GUILDFORD TIMBER COMPANY LIMITED**

9 December 2024

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To the Registrar
Environment Court
Wellington

**NOTICE OF INTENTION TO BE A PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT
1991**

1. The Guildford Timber Company Limited (GTC) wish to be a party to the following proceedings:
 - a) Upper Hutt City Council's (**UHCC**) appeal against the decision of the Wellington Regional Council on proposed Plan Change 1 to the Wellington Regional Policy Statement.
2. GTC has an interest in the proceedings that is greater than the interest that the general public has as it owns a large greenfield site (330ha) in Upper Hutt much of which is currently in commercial forestry known as the Southern Growth Area and has prepared a Masterplan for the development of its land for residential and mixed used development. The Southern Growth Area is affected by the provisions of proposed Plan Change 1. The GTC land had previously been identified as a Future Grown Area in the Wellington Regional Council's Future Development Strategy (FDS). GTC's land has subsequently been left out of the recent FDS. Development of the Southern Growth Area for up to 2040 residential homes is listed as a project under the Fast Track Approvals and GTC has sought to rezone its land via submission on UHCC Proposed Plan Change 50. Development of GTC's land will be directly affected by the provisions of RPS-0PC1 including policy shifts in management of significant, indigenous biodiversity, Greenfield development, transport, stormwater and forestry in the region.
3. GTC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. GTC is directly affected by an effect of the subject of the appeal that—
 - (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
5. GTC is interested in part of the proceedings. The part of the proceedings Guildford Timber Company Limited is interested in is:
 - a) The definitions '*Ecosystem processes*' and '*Environmentally responsive*'
 - b) Objective 16

- c) Policy 23
 - d) Policy 24
 - e) Policy 47
 - f) Objective 22
 - g) Policy 55
 - h) Policy 56
 - i) Policy UD.4
 - j) Policies CC.1; CC.2; CC.2A and CC.11
6. GTC is interested in the following particular issues addressed in the appeal that would result in changes to the RPS- PC1 that would:
- a) Properly recognises the importance and benefits to the region of appropriately located and well-designed greenfield housing development to achieve well-functioning urban development and rural areas;
 - b) Provides policy support for greenfield development that contributes to well-functioning urban development and rural areas;
 - c) Introduces policy that gives effect to the NPS-FM and NPS-UD in a more balanced way than the notified version of PC1;
 - d) Does not include unduly restrictive references to compact urban form that would limit greenfield development, including integrating land use and transportation.
7. GTC **supports** the requested relief sought by UHCC's appeal in relation 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 it 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 C.11
8. GTC **opposes** the requested relief sought by KCDC's appeal in relation the following specific provision:
- a) Amendments to Policy 23 which adopts the decision version of the policy – GTC prefers the decision version with the amendments sought by Winstone Aggregates in their appeal;
 - b) Amendments to Policy 24 – GTC prefers Policy 24 in the decisions version be retained with amendments to Policy 24A as sought by Winstone Aggregates in their Appeal;
 - c) Amendments to Policy 47 – GTC prefers Policy 47 as included in the decisions 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 their 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.
 - a) 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;
 - b) Amendments to Policy 56 intended to remove undue constraints on development capacity – the amendments sought are not considered to achieve this outcome;
 - c) Deletion of Policy UD.4.
9. GTC agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 9 December 2024



Andrew Beatson

Counsel for Guildford Timber Company Limited, person authorised to sign on behalf of person wishing to be a party

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Documents for service on the person wishing to be a party may be left at that address for service or may be emailed to counsel at andrew@beatson.co.nz.