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Legal Case-notes March 2022

Feedback Please! Any Feedback? Drop us a note!

We would appreciate comments and suggestions from members on content, format or information about cases that might be of interest to members as not all cases may have been reported in "Your Environment".

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Summaries of cases from Thomson Reuter's "Your Environment".

This month we report on eight court decisions covering diverse situations associated with subdivision, development and land use activities from around the country;

- Can a Council effectively disallow an application for extension of time, lodged before expiry of a resource consent, by not determining the application? This decision clearly states that the answer is "No!";
- An unsuccessful appeal against a decision of Queenstown Lakes District Council on relocation of a zone boundary in an area of "Outstanding Natural Landscape" near Lake Hayes;
- An unsuccessful application for declaration from the Environment Court by a person seeking to determine whether limited notification of a resource consent application had been properly undertaken;
- An unsuccessful appeal by an adjoining owner to amend conditions of consent following an interim decision on an application for consent near Bendigo in Central Otago;
- A successful application to the High Court to overturn a decision of the Environment Court relating to construction of an earth mound on a property near Arrowtown;
- A further decision relating to an abatement notice issued for works on a subdivision development near Palmerston North;
- An unsuccessful attempt to subpoena witnesses from Auckland Council which had returned an application for resource consent as "incomplete".
- A decision on a proposal for stopping road where no public benefit would be achieved by the proposed stopping action.

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CASE NOTES APRIL 2022:

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Wolf 2008 Ltd v Whangarei District Council _ [2022] NZEnvC 4

Keywords: resource consent; consent lapse; interpretation

These were proceedings to finalise the wording of a declaration regarding the interpretation of s 125(1A) of the RMA 1991, which governs how an applicant may apply to extend the lapse date of a resource consent that has not yet been given effect to. In December 2021 the Court had approved a request by Wolf 2008 Ltd ("Wolf") for a declaration, and ruled that a consent authority need not make a decision on an application for extension before the original lapse date in order for an extension to be possible under the RMA 1991 (see *Wolf 2008 Ltd v Whangarei District Council* [2021] NZEnvC 190). It requested that the parties submit proposed

wording to finalise the declaration. In these proceedings, the parties lodged a joint memorandum with proposed wording, which the Court approved.

The Court issued a final declaration to clarify that: (a) an application to extend the lapse date of a resource consent must be filed before the lapse date; (b) where such an application is made, the processing of that application (including any appeals) may extend beyond the lapse date; (c) applying to extend the lapse date does not in itself extend the lapse date; (d) if an extension is granted, the granting does not have retrospective effect; and (e) Wolf's application was filed prior to the lapse date and was therefore able to be considered under the RMA 1991. The parties agreed that no application for costs would be made.

Decision Date 15 February 2022 _ Your Environment 16 February 2022

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Bridesdale Farm Developments Ltd v Queenstown Lakes District Council _ [2021] NZEnvC 189

Keywords: district plan proposed; objectives and policies; zoning; residential; landscape protection; flood plain; natural character

This appeal by Bridesdale Farm Developments Ltd ("BFD") concerned a zoning dispute with Queenstown Lakes District Council. BFD owned approximately 0.5 ha of land at Bridesdale ("the property") on which it wished to develop a number of residential lots. The proposed district plan ("PDP") zoned the site as Rural. BFD initially sought a change to Medium Density Residential zoning, but later amended this request to Lower Density Suburban Residential. It also sought an extension of the Urban Growth Boundary ("UGB") to encompass the property.

The Court termed the current Rural zoning (and current exclusion of the property from the UGB) "Option A" and termed BFD's requested relief "Option B" and considered which option would be the most appropriate for achieving relevant PDP objectives, pursuant to s 32 of the RMA. The Court concluded it was unnecessary to separately consider the provisions of pt 2 of the RMA because it regarded the PDP's objectives and policies as "already fleshing out and giving local effect to pt 2". Similarly, it said most of the higher order policy instruments (ie regional and national policy statements) were already given effect to by the PDP and did not require independent consideration.

The area's outstanding natural features and landscapes ("ONF/Ls") were of central importance to the Court's evaluation. The Court noted that the PDP intended and directed that landscape values of ONF/Ls be identified and protected and that subdivision and development within an ONF/L was inappropriate unless those landscape values were protected. The Court found that Option B would fail to protect these. This was essentially because of concerns about "creep" of urban development. Specifically, the Court heard expert evidence about a "legible geomorphological boundary" to an ONF/L that ran along an escarpment with a river floodplain below it. Option B would have the effect of rezoning below this boundary, which expert evidence suggested would make urban development "more noticeable" because that development would be the first change coming down the escarpment towards the floodplain and would significantly reduce the "naturalness". The Court concluded that allowing residential development would aggravate "an impression of incremental urban colonisation" towards and onto the floodplain.

The Court also noted that the PDP intended that UGBs be a tool for managing the growth of urban areas within "distinct and defendable urban edges". The existing UGB ran along the same escarpment contour line as the ONF/L. It found that Option B would fail to achieve the objective of keeping urban expansion within distinct and defensible UGBs. The Court therefore concluded that Option A (ie Rural zoning) would be the most appropriate zoning outcome for achieving the PDP's objectives. Although it rejected BFD's appeal, it made a final comment that there could be potential for a holistic re-positioning of the ONF/L boundary in the future to allow for some further residential development. The appeal was dismissed and costs were reserved.

Decision Date 13 January 2022 _ Your Environment 14 January 2022

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Wallace v Waikato District Council _ [2021] NZEnvC 186

Keywords: resource consent; declaration; jurisdiction

This matter involved a request by G Wallace ("W") for various declarations against Waikato District Council ("the council"). W was broadly contesting a resource consent that the council

had granted to a third party property developer to expand a country club. However, the Court struck out each of W's requests, describing the application as "misconceived". W sought a declaration as to whether the council should provide him with a copy of the resource consent application. The Court responded that this was unnecessary because the council would usually provide this on request, and if that request failed, the remedy would be under the Local Government Official Information and Meetings Act 1987, not the RMA. W also sought a declaration as to whether the limited notification process undertaken by the developer before lodging its application for a resource consent was properly and sufficiently undertaken. However, the Court had no jurisdiction to consider this because the process that a consent authority must undertake when determining whether to give limited notification, as set out in s 95B of the RMA, is not a matter about which the Court can make a declaration under s 310(h).

The Court also rejected W's request for a declaration as to whether the council had met its obligations under s 17 of the RMA (which imposes a duty on every person that carries out certain activities to avoid, remedy or mitigate any adverse effect on the environment). This was because the council's role in deciding whether to grant a resource consent was not an activity captured by s 17. Finally, the Court dismissed W's request to be made a "party" to the proceedings under s 274 because that relates to proceedings brought in the Environment Court, not matters being considered by councils. The application was struck out without seeking submissions from any party. The Court directed that the filing fee paid by W be refunded to him.

Decision Date 12 January 2022 _ Your Environment 13 January 2022

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Canyon Vineyard Ltd v Central Otago District Council _ [2021] NZEnvC 187

Keywords: resource consent; conditions

This was an appeal seeking amendments to proposed conditions of a resource consent. The Court had previously issued an interim decision granting a resource consent to Bendigo Station Ltd ("Bendigo") and a timetable was put in place for filing and commenting on a set of draft final conditions. After Bendigo filed its recommended conditions, the appellant proposed its own changes and additions. The Court agreed with Bendigo that the amendments sought by the appellant had not been addressed in the evidence given at the hearing and were outside the ambit of the comments called for on draft final conditions as part of the interim decision. The Court also agreed that Bendigo's own suggested conditions were within the parameters of findings made in the interim decision. The amendments sought by the appellant were rejected and the set of conditions produced by Bendigo were accepted.

Decision Date 12 January 2022 _ Your Environment 13 January 2022

((This decision is a follow up of previous decision reported in Case-notes November 2021.)

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Speargrass Holdings Ltd v van Brandenburg _ [2021] NZHC 3391

Keywords: High Court; resource consent; district plan; error; landscaping; earthworks; visual impact

This appeal concerned a dispute between two neighbouring landowners over a large mound of earth formed on the boundary between their properties. The trustees of the Flax Trust ("Flax") were undertaking landscaping as part of a subdivision project on Flax's land. The landscaping was designed to ensure privacy and amenity. Flax obtained an earthworks consent from Queenstown Lakes District Council ("the council") for a mound less than 3 m high ("the original consent") as part of this landscaping treatment. However, it then built a mound approximately 5.17 m high without consent. Flax admitted it did this to shield from view a two-storey garage structure being constructed by the neighbouring landowner, Speargrass Holdings Ltd ("Speargrass"). Speargrass had obtained consent for this garage, and also to construct an associated dwelling closer to Flax's boundary than originally consented, but these variations had not been notified to Flax or registered before works began. After Speargrass complained about the mound and the council informed Flax that it needed to reform the mound to bring it under 3 m, Flax sought retrospective variation of the original consent to authorise the increased mound height. This was declined by the independent Commissioner who heard the application, and Flax then successfully appealed this decision to the Environment Court ("EC"), who varied the consent to authorise the increased height. As part of its reasoning, the EC concluded that because Speargrass had failed to register its variations before it commenced works on the

garage and dwelling, the environment to be assessed (for the purposes of assessing effects of the mound on the "environment") was the Speargrass dwelling *as originally designed and located*.

Several appeal proceedings then ensued. Speargrass successfully appealed to the High Court, which found that the EC had made several material errors. Importantly, it found the EC had incorrectly characterised the receiving "environment"; the correct environment to assess was the Speargrass dwelling *in the form later consented*. However, the High Court declined to make a non-recurrence order that would prevent Flax from seeking fresh approval for the higher mound. Speargrass further appealed this to the Court of Appeal, which dismissed the appeal and said it was open to the High Court to allow the appropriate height to be assessed by the EC. The EC then re-heard Flax's original appeal against the Commissioner's decision ("the EC rehearing") and varied the consent to authorise the increased height of 5.17 m, with some additional conditions. In these proceedings, Speargrass was appealing the outcome of the EC rehearing and was asserting several errors of law by the EC.

The Court agreed that the EC had misapplied the legal principles in s 104 of the RMA, which outlined the matters to be taken into account when considering an application for a resource consent. It found that the EC had incorrectly focused on the adverse effects of Speargrass' activities on Flax rather than the effects of Flax's mound on the environment. It also erroneously undertook a comparison of the adverse effects of Speargrass' lawful activities and the adverse effects of the mound. The fact that the eventual environment on Speargrass' property was "quite different" from what was envisaged when the original 3 m earthworks consent was granted was an irrelevant consideration, and the EC's repeated examination of this was an abuse of process because it was a collateral attack on previous council decisions.

The Court also found that the EC effectively ignored factual findings of the High Court decision that were binding on the EC. The High Court had made findings about the mound's scale, visual impact and "undue effect" on Speargrass' use of its property. In the rehearing, the EC described these merely as "psychological effects" and reasoned that if Speargrass allowed trees it had planted to grow, the residents would not be able to see the mound. The Court found fault with this approach because Speargrass was legally permitted to trim and top the trees it had been obliged to plant under the terms of its consent. Just because the trees might sometimes reach a density and height that blocked views of the mound did not mean this state would always exist. Importantly, the High Court had specifically found that Speargrass' obligation to plant and maintain trees "did not negate" the adverse effects of the mound, which implicitly meant that Speargrass was not required to let its trees grow so as to block views of the mound.

The Court agreed that the EC also incorrectly approached relevant rules under the operative district plan ("ODP"). Under s 104(1)(b)(vi) of the RMA, consideration must be given to any relevant provisions of a plan or proposed plan. Rule 22.4(i)(a) of the ODP required an assessment of "whether the earthworks are a necessary part of the subdivision, development or access construction and the extent to which the subdivision engineering works, building or finished project will remedy the effects of the earthworks". This was in the broader context of the objective of that chapter, which was to "[e]nable earthworks that are part of subdivision, development, or access, *provided that they are undertaken in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment*". Speargrass argued that the EC ignored the overarching objective, which led the EC to wrongly discount expert evidence provided for Speargrass and also to misdescribe the assessment in rule 22.4(i)(a) as simply "whether the earthworks are ... necessary". The Court agreed that the EC misapplied the ODP provisions, which led it to incorrectly focus on the activities of Speargrass rather than on the effects the mound would have on Speargrass' property.

Having established these errors of law, the Court quashed the decision of the EC rehearing and restored the Commissioner's decision to decline retrospective variation of the original consent. Flax was ordered to pay Speargrass' costs and disbursements arising from this appeal, while costs and disbursements in the EC were reserved.

Decision Date 25 January 2022 _ Your Environment 25 January 2022

(This decision is a follow up of previous decision reported in Case-notes August 2018.)

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Aokautere Land Holdings Ltd v Manawatu-Wanganui Regional Council _
[2021] NZEnvC 199
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Keywords: abatement notice; strike out; appeal procedure; time limit; interpretation

This application to strike out an appeal against two abatement notices concerned the proper interpretation of ss 325 and 325A of the RMA and the time limit for filing an appeal after a request to cancel an abatement notice is declined. Aokautere Land Holdings Ltd ("Aokautere") owned two parcels of land that were subject to works relating to an intended subdivision. It held resource consents authorising various land disturbance activities to be undertaken on the site. Manawatu-Wanganui Regional Council ("the council") was concerned about whether these land disturbances were in accordance with either the resource consents or the relevant rules of the regional plan. On 17 December 2019 it served two abatement notices to Aokautere requiring it to cease all unauthorised land disturbance activities and to install appropriate sediment and erosion controls. It was not until 25 July 2020, approximately seven months later, that Aokautere requested that the abatement notices be cancelled. The council declined that request on 31 July 2020. On 21 August 2020, Aokautere filed an appeal against the abatement notices under s 325 of the RMA.

The central issue for the Court was whether Aokautere had filed out of time, raising questions about the interaction between ss 325 and 325A of the RMA. Under s 325(2) of the RMA, notice of an appeal against an abatement notice had to be lodged with the Court and served on the relevant authority "within 15 working days of service of the abatement notice". It was not in dispute that Aokautere had clearly missed that deadline, if that was indeed the applicable deadline. However, s 325A(7) also provided that a party whose request to cancel an abatement notice had been declined could then appeal to the Court "in accordance with s 325(2) against the whole or any part of the abatement notice". The council argued that these were two separate appeal paths - that s 325 allowed an appeal against a substantive abatement notice and s 325A against a decision whether to cancel an abatement notice. It argued that because Aokautere's appeal was really an appeal against the substantive abatement notices, Aokautere was attempting to use s 325A(7) to circumvent the time limitation in s 325. The Court disagreed. It said the plain wording of s 325A(7) was that it allowed an appeal "against the whole or any part of the abatement notice", not just the council's decision whether to cancel it. The Court rejected the council's argument that this interpretation would render abatement notices unenforceable; abatement notices were always enforceable unless they were stayed or cancelled. The Court acknowledged that this interpretation could result in several appeals being filed out of several attempts to change or cancel an abatement notice, and that this was possibly not intended by Parliament. However, the Court concluded that this possibility did not justify reading down the plain wording of s 325A(7) to limit it to decisions about whether to cancel an abatement notice. The application to strike out the appeal was declined. Costs were reserved in favour of Aokautere.

Decision Date 25 January 2022 YourEnvironment 26 January 2022

(This decision is a follow up of previous decision reported in Case-notes August 2020.)

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Country Lifestyles Ltd v Auckland Council _ [2021] NZEnvC 182

Keywords: resource consent; land use consent; appeal procedure; evidence new council procedures

This was a request for the issue of witness summonses as part of an appeal by Country Lifestyles Ltd (“CLL”) against a decision of Auckland Council (“the council”). CLL had made a land use resource consent application for the construction of a retirement village. The council had returned the application as “incomplete” under s 88(3) and (3A) of the RMA. CLL objected and its objection was dismissed. CLL appealed to the Court and requested that the Court issue witness summonses for four witnesses (three council officers and one planner). CLL claimed these witnesses would offer evidence that showed the council’s decision was unjustified. The immediate question before the Court was whether it was likely to obtain substantial help from the evidence to be called.

The Court declined to issue witness summonses. It noted that its role in the appeal was to consider whether the council’s decision to dismiss CLL’s objection was fair and reasonable – not to determine the merits of the resource consent application. The Court had been provided with all the information that had been before the council in its objection hearing, and if new evidence was now called that had not been before the council at that time, it would be of “very little or no assistance” in determining whether the council’s decision was “fair and reasonable”.
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Decision Date 15 December 2021 _ Your Environment 16 December 2021

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Clutha District Council v Vreugdenhil _ [2021] NZEnvC 183

Keywords: road stopping; access; safety

This matter involved an application by the Clutha District Council ("the council") to stop part of a road adjoining Owaka Highway. The stoppage was supported by one neighbouring landowner known as the PJ and ME Vreugdenhil Family Trust Partnership ("the Vreugdenhil Trust") and opposed by another, Mr and Mrs Kelly ("the Kellys").

The council had publicly notified its plan to stop part of the road as required by sch 10 of the Local Government Act 1974. It received a number of objections to the plan. The matter was then referred to the Court for determination as required by sch 10. In determining whether to confirm, modify, or reverse the council's decision to stop the road, the Court was required by sch 10 to consider the following: the district plan, the plan of the road proposed to be stopped, the council's explanation as to why the road was to be stopped, and any objections made thereto.

When considering the council's explanation, the Court referred to the unusual background to these proceedings. The council had previously been involved in litigation with the Vreugdenhil Trust and was obliged to commence the stoppage application as part of the settlement of that litigation. The Court heard evidence that the council in fact viewed the stoppage matter as a "neighbour versus neighbour" dispute between the Vreugdenhil Trust and the Kellys and wished not to be involved. In effect, the council had provided no evidence of any public benefit that would be derived from stopping the road. However, the Court took guidance from *Re Ruapehu District Council* (2002) 8 ELRNZ 144 and *Re New Plymouth District Council* EnvC A103/97, 26 August 1997. It said those cases established that the central issue to consider was the need for the road for public use, not the need for the stopping. The Court therefore considered whether there was a public need for the road now and in the future.

The Kellys gave evidence that the road provided them with the safest and most direct all-weather access to the western end of their farm property. The Court examined all possible alternative access routes and agreed with the Kellys. Other possible routes were impractical due to difficult terrain, or because they passed through land owned by a third party and access was therefore dependant on agreement from the third party. The Court found that the Kellys' right to use the public road now and in the future to serve the western end of their farm should not be removed by the stopping. This would unfortunately result in continued conflict between the Kellys and the Vreugdenhil Trust, but the Court stated that avoidance of conflict was not justification for ordering stoppage of a road. The Court therefore declined the council's application for the stoppage. Costs were reserved.

Decision Date 16 December 2021 _ Your Environment 17 December 2021

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This month's cases were selected by Roger Low, rlow@lowcom.co.nz, and Hazim Ali, hazim.ali@aucklandcouncil.govt.nz.

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Other News Items for March 2022

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Council side-steps mayor in climate declaration push

Stuff reports Thames-Coromandel District councillors have side-stepped mayor Sandra Goudie in a bid to get the district to sign a climate change declaration. Goudie refused to sign the local government leaders' declaration despite strong public support and a council vote in December 2021 for her to do so. Councillor Martin Rodley proposed that the council nominate and authorise another elected councillor to sign. A 7-3 majority on the audit and risk committee voted in favour of Rodley's motion. Read the full story here.

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300 new public homes in $296 m development in Wellington

Stuff reports that Housing Minister Megan Woods has announced a $296 million investment from the Government's public housing funding to build the Arlington Development in Mt Cook, Wellington. There will be 300 new homes, plus shared amenities such as a playground, a community centre, community gardens, offices, and an orchard. Read the full story here.

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Legal threat over planned hydro scheme

Newsroom reports that Auckland-based company, Griffin Creek Hydro Ltd, was granted, in 2011, a 30-year Department of Conservation concession for a 1.3-megawatt hydro-electric power scheme, to generate enough power for 2000 homes. The company also gained consents from the Westland District and West Coast Regional Councils, for land and water use, and to disturb the bed of Griffin Creek. Now legal proceedings are being threatened by conservation and recreation groups. Read the full story here.

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Imminent start for building of new sport facility

The Press reports that Christchurch's long-awaited 10-court indoor netball facility will cost much less to build than originally thought. Centre developer and future owner Christchurch Netball Centre says it will be constructed for $13m, rather than the expected $20 million. Most of the centre is being funded by an anonymous benefactor who wanted to give money after the earthquakes to benefit women's sport in Christchurch. When asked what the purchase price was, council head of parks Andrew Rutledge said the council could not release that information. Read the full story here.

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Westgate developer increases claim against Auckland Council to $90 million

Stuff reports that NZ Retail Property Group (NZRPG), the developer of Auckland's Westgate commercial precinct, is seeking $90 million from Auckland Council in the High Court. The long-running legal battle between the parties centres on whether the council has fulfilled its role in providing supporting infrastructure in the development, which had its origins under the former Waitākere City Council. In 2018, when the claim was first filed with the court, NZRPG was seeking $33 million but in a statement the council said a claim of $82 million was boosted to $90 million on 14 February. - Read the full story here.

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Environment Southland's proposed Water and Land Plan court hearings continue

Stuff reports that Environment Southland and some submitters on the proposed Water and Land Plan are about to head into five weeks of court hearings about the rules and policies of the plan, after the majority of parties involved in negotiations agreed mediation was unlikely to be successful. Read the full story here.

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Auckland Council to scrap bin tags
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Stuff reports Auckland Council is looking to scrap bin tags in parts of Auckland. The bin tags – or a pay as you throw (PAYT) system – were rolled out in West Auckland, Papakura and on the North Shore between 2017 and 2018. Residents in these areas purchase bin tags from supermarkets, council service centres and libraries, and attach them to their bin on rubbish collection day. The tags were part of the council's strategy to achieve its goal of zero waste to landfill by 2040, however the council has since found the PAYT system to be the most expensive option for kerbside rubbish collection. Read the full story here.

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$3 million clean-up operation at New Plymouth wastewater treatment plant

Radio New Zealand reports that a $3 million clean-up operation is being undertaken to remove highly toxic dioxin from the New Plymouth wastewater treatment plant. The New Plymouth District Council is removing contaminated sludge from a decommissioned lagoon at the plant which is being dried and bagged before being transported to a specialist landfill. Read the full story here.

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Historic Dannevirke cinema to reopen

Stuff reports that the historic Regent Cinema in Dannevirke is set to reopen after years of delays. Founded in 1919, the theatre is a category two heritage building. Read the full story here.

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Historic Carnegie Library in Dannevirke to be demolished

Hawke's Bay Today reports that the historic Carnegie Library in Dannevirke is to be demolished. Tararua District Council staff are working with Heritage New Zealand around a plan for demolition. Read the full story here.

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Disputed access to Manawatū wind farm goes to court

Stuff reports that objections to increased volumes of construction traffic using narrow roads to access the Turitea Wind Farm are being sent directly to the Environment Court. The court hearing, and any other types of conferencing or mediation it ordered, would be held in Palmerston North. Read the full story here.

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Marine and customary boundaries proceeding headed to High Court

Stuff reports that a two-week hearing, to decide the marine and customary boundaries of three Bay of Plenty iwi, will begin at the Wellington High Court next week. After decades of work, Whakatōhea iwi, neighbours Ngāti Awa and Ngāi Tai, received a landmark decision in May 2021 granting marine title and protected customary rights to the coastline stretching from Whakatāne to Ōpōtiki. It was the second decision to be made under the Takutai Moana Marine and Coastal Area Act 2011, but the first to include multiple iwi and hapū across a large area. Read the full story here.

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Christchurch's central city population passes pre-quake numbers due to home building

Stuff reports that Christchurch's central city population has finally passed pre-quake numbers thanks to record home building. The latest Statistics New Zealand estimate puts the population inside the city's four avenues at 8080. Read the full story here.

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103-year-old former war memorial library to be demolished

The Press reports Christchurch City Council has decided to demolish the Upper Riccarton War Memorial library. The library was built in 1919, and has been closed since 2017 when it was deemed earthquake-prone and at risk of sudden collapse. It would have cost about $400,000 to repair the main building and another $100,000 to fix another building, built in 1963, on the same site. Read the full story here.

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Council's plan to cull rabbits at Western Springs Park postponed

Stuff reports that Auckland Council's plan to cull rabbits at Western Springs Park has been postponed until March, giving the community longer to remove and rehome abandoned pet rabbits. Read the full story here.

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Heavy rain severely damages parts of the Heaphy Track

Radio New Zealand reports that torrential rain has severely damaged parts of the Heaphy Track, destroying three bridges. The 78-km track was closed, and the Department of Conservation would issue an update as to when it might be possible to reopen it. Read the full story here.

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Tākaka's co-housing neighbourhood approved

Stuff reports that Tākaka's proposed co-housing neighbourhood has received resource consent. Construction on the 34-home development should start in May, taking around 18 months. Read the full story here.

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House building costs continue upward surge

Radio New Zealand reports that residential construction costs are rising at their fastest pace in four years. CoreLogic chief property economist Kelvin Davidson said timber prices and record building consents were some of the key drivers. Read the full story here.

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Reduced glyphosate use in Marlborough parks

Stuff reports that that Blenheim's Seymour Square has been glyphosate-free for 18 months after Marlborough District Council challenged staff to decrease its use in Marlborough parks. Pollard Park is the next in line, with plans to cut the weedkiller's use in half. Read the full story here.

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Rio Tinto wishes to operate Tiwai Point smelter past 2024

Radio New Zealand reports that Rio Tinto wishes to operate the Tiwai Point aluminium smelter past its previously signalled closure date in 2024. Rio Tinto said it believed there was a long-term future for the Bluff operation. Read the full story here.

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$11.5 million Christchurch cycleway approved

Stuff reports that Christchurch City Council has approved the design of the third and final section of the Nor'West Arc cycleway. The 4-km section will link Canterbury University to Harewood Rd, in Papanui, passing through Ilam, Burnside and Bryndwr. Read the full story here.

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Wellington pool to get $8 m rebuild

Stuff reports that Wellington City Council will rebuild Khandallah Pool. The pool will be rebuilt to remedy problems, including ageing pipes, earthquake-prone changing rooms and a leaky tank. Read the full story here.

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Nelson's Blue Lake faces lake snow threat

Radio New Zealand reports that Nelson's Rotomairewhenua/Blue Lake, which has the clearest water in the world, faces a threat from lake snow, an invasive diatom that blooms into a slimy, clinging algae-like substance. Tasman District Council is working alongside the Department of Conservation, Ministry for Primary Industries and Fish & Game to combat its spread. Read the full story here.

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Exposed dump site pollutes Tauherenikau River

Stuff reports that a newly exposed dump site near the Tauherenikau River has polluted the river with plastic baleage wrap. South Wairarapa residents are helping to clean up the rubbish. Read the full story here.

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Extension sought to add 1200 more homes at major subdivision in Waikato

Stuff reports that developers at Lockerbie Estate in Morrinsville have put in a request to the Matamata-Piako District Council to rezone 77.2 hectares of land located at the northern edge of Morrinsville. The extension would add 1200 homes on top of the 350 already sold. Read the full story here.

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Auckland developers told they will have to pay for wastewater treatment plant

Stuff reports that Auckland developers seeking to build 700 homes at Waiuku have been told they will have to pay for a wastewater treatment plant and infrastructure before the project can go ahead. Matoaka Holdings, Pokorua Ltd and Gardon Trust are seeking to rezone about 32.5 hectares of land to residential mixed housing urban. Read the full story here.

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Auckland to get 23 new electric commuter trains

Stuff reports that Auckland is to get 23 new electric commuter trains costing $330 million, to take its fleet to 95. Auckland Transport says the first trains from this order would begin arriving in late 2024. Read the full story here.

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Major state housing development in Hamilton's south granted consent

Stuff reports that a major state housing development in Hamilton's south has been granted resource consent. The 47-home project will be built on a 2.6-hectare block of land leased from Waikato-Tainui. Read the full story here.

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Government chooses Auckland light rail tunnel option

Stuff reports that the Government has decided that Auckland's light rail line will be largely underground, and could be built in conjunction with a new bridge or tunnel across the Waitematā Harbour. The City Centre to Māngere line will be tunnelled from Wynyard Quarter on the city's western waterfront, past the University of Auckland to Mt Roskill, then above ground to Māngere town centre and the airport. Read the full story here.

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Christchurch's new multi-million dollar stadium design 'lacks green credentials'

The Press reports that some members of the Christchurch City Council are concerned about what they feel is a lack of environmental sustainability in the design of Te Kaha, Christchurch's new stadium. The Christchurch City Council approved the preliminary design of the stadium on Thursday, allowing for work on a more detailed design to proceed. However six councillors either voted against or abstained from approval. The new stadium is being built in the central city and is bordered by Madras, Hereford, Barbadoes and Tuam streets and is being built with a steel frame, concrete bleachers for seating and a plastic roof, in line with stadium design principles used around the world. Read the full story here.

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Funding to help protect yellow-eyed penguin

The Otago Daily Times reports that Penguin Place, a long-running Otago Peninsula penguin rehabilitation and conservation facility, has received $633,000 in conservation funding to continue its critical work protecting the endangered yellow-eyed penguin (hoiho). The facility received the funding through the Government's Jobs for Nature scheme. Read the full story here.

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Pest control project in Fiordland National Park to cull up to 300 female deer

The Otago Daily Times reports that a pest control project in Fiordland National Park will cull up to 300 female deer in an effort to improve both conservation and recreational hunting in the area. The project was jointly developed by the Department of Conservation, Fiordland Wapiti Foundation and the Game Animal Council. Read the full story here.

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Call for Government to force clean up of New Plymouth production site

Radio New Zealand reports that New Plymouth Mayor Neil Holdom is calling on the Government to put pressure on Corteva Agrisciences to assess its former Paritutu agrochemical plant site and remove any contaminated material. Corteva has recently closed the 16-hectare site which borders Paritutu Centennial Reserve and residential housing. Read the full story here.

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Nelson apartment project underway

Stuff reports that a Nelson apartment project granted special housing status in 2019 is getting underway, and is hoped to be completed in under two years. The project will provide about 31 one or two-bedroom apartments in a six-storey building, including three two-bed penthouses, with the first storey dedicated for parking. Read the full story here.

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Hospitality and visitor complex in Christchurch's Cathedral Square to open in August

Stuff reports that The Grand hospitality and visitor complex in Christchurch's Cathedral Square will open in August. The Grand will occupy the city's former chief post office building, which has been closed since the earthquakes. Read the full story here.

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Bird species establishing populations in Nelson's Brook Waimārama Sanctuary

Radio New Zealand reports that the South Island saddleback, or tīeke, and the orange-crowned parakeet also known as the kākāriki karaka, are establishing themselves in Nelson's Brook Waimārama Sanctuary. Department of Conservation kākāriki karaka operations manager Wayne Beggs said the transfer of birds into the sanctuary was a significant step forward. Read the full story here.

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