Newslink Case-notes for October 2022 prepared 20 September 2022.

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Legal Case-notes October 2022

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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 seven court decisions covering diverse situations associated with subdivision, development and land use activities from around the country;

- A significant application made by Western Bay of Plenty DC involving infrastructure funding for new development under the housing intensification regime;
- The settlement of an appeal regarding the conditions on a resource consent to discharge geothermal water into the Tarawera River, particularly involving expiry date of the consent;
- Approval of final provisions for earthworks in certain zones of the Thames-Coromandel district plan;
- Final determination of provisions in the proposed Northland Regional Plan to resolve appeals on provisions controlling mangrove removal.
- A consent order resolving appeals on zoning and development of land at Patmos Avenue, North Dunedin;
- Prosecution of a landowner of a property at Beachlands Auckland, for constructing retaining walls adjacent to the coastal marine area without the necessary consents;
- A case in which the legitimacy of delegations to a committee of Southland District Council was challenged

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CASE NOTES OCTOBER 2022:

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Re Western Bay of Plenty District Council _ [2022] NZEnvC 143

Keywords: district plan change; financial contribution; sustainable management; services

This was an application under s 86D of the RMA 1991 for an order that certain rules in a plan change could have immediate legal effect. This was in order to avoid certain unintended consequences arising for a particular Tier 1 authority.

In late 2021, the Resource Management (Enabling Housing Supply and Other Matters)

Amendment Act 2021 ("the Amendment Act") came into force, just two months after being introduced to Parliament. As a Tier 1 authority, the Western Bay of Plenty District Council ("the council") was required by the Amendment Act to notify an "Intensification Planning Instrument" on or before 20 August 2022. The council prepared Plan Change 92 ("PC92") to the Western Bay of Plenty District Plan to effect this. When PC92 was notified, certain Medium Density Residential Standards ("MDRS") would immediately take effect within the Ōmokoroa and Te Puke residential areas, meaning no resource consent would be required to construct up to three dwellings (three

storeys each) on each site. However, there would also be implications for financial contributions for such developments. Under the operative District Plan, the council could impose a financial contribution as a condition of resource consent for these developments. This reflected the position until now that resource consent was required. PC92 would introduce a new rule to require a financial contribution for these newly permitted activities ("the New Contribution Rule"). However, while the MDRS would immediately take effect when PC92 was notified in August 2022, the Amendment Act had been drafted so that the New Contribution Rule would not have legal effect until (at least) August 2023. This would effectively mean that there would be a 12-month period in which no resource consent would be required for such dwellings, but the council would have no ability to require financial contributions.

The council was concerned that the loss of these financial contributions would compromise its infrastructure requirements and funding strategy. It was in a unique position as the only Tier 1 authority that relied solely on financial contributions to fund infrastructure development (as it did not levy development contributions under the Local Government Act 2002 or have any other alternative source of infrastructure funding). It appeared that a parliamentary committee examining the draft legislation had decided it would be appropriate for the financial contributions provisions to be subject to consultation before they had legal effect, and that committee was most likely unaware of the council's unique position. The council was concerned that this consequence could create a "gold rush" of applications in the 12-month period as people tried to take advantage of the situation, and it estimated there would be a shortfall in funds received of approximately $400,000 to $500,000. It therefore sought an order that the New Contribution Rule could have immediate legal effect in order to allow the council to continue to provide infrastructure and achieve the sustainable management purpose of the RMA 1991.

The Court said the clear intention in the legislation that financial contribution rules should not have legal effect until they have been appropriately tested through the sch 1 process was not one that should be set aside lightly by the Court in exercising its powers under s 86D. However, the Court considered that there was a sound basis to depart from that general intent in this case. While it acknowledged the council's concerns of a real risk that some developers would seek to take advantage of the situation, it said the key consideration in this case was not so much the potential for that "gold rush", but rather that if such a gold rush were to take place, it could undermine the ability of the council to manage and provide for infrastructure. The Court agreed that it was necessary to give the rules immediate legal effect to enable the council to require a financial contribution and therefore to allow the continued integrated provision of infrastructure, at appropriate levels of service. This was necessary for achieving the sustainable management purpose of the RMA 1991. The Court also observed that the estimated shortfall of up to $500,000 would unfairly and inequitably be passed on to others.

To address concerns regarding potential unfairness or prejudice, the council had confirmed that it would pay back any financial contributions that were paid if the level of such financial contribution was subsequently reduced through the sch 1 process. On this, the Court reflected that s 86D was silent on whether a conditional order could be made, but noted that the power under s 86D was broad and discretionary. In interpreting the scope of that power, the Court considered that it would be consistent with the purpose of the RMA 1991 that the ambit of an order that a rule have legal effect from a date earlier than would otherwise apply could be conditional in terms of the outcome of the process in sch 1. To reinforce the council's refund policy, the Court determined to make its order conditional on requiring the council to pay back any contributions paid if the level of such financial contribution was subsequently reduced through the sch 1 process.

The application under s 86D was granted. The New Contribution Rule would have immediate legal effect on the date PC92 was notified, subject to the condition requiring the council to refund contributions later shown to be excessive.

Decision date 8 August 2022 - Your Environment 30 August 2022

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Ngāti Tūwharetoa Geothermal Assets Ltd v Bay of Plenty Regional Council - [2022] NZEnvC 145

Keywords: consent order; resource consent; conditions

This consent order concerned an appeal by Ngāti Tūwharetoa Geothermal Assets Ltd ("NTGA") against a decision of the Bay of Plenty Regional Council ("the council") regarding the conditions on NTGA's resource consent to discharge geothermal water into the Tarawera River. Broadly, the conditions required that the discharge from a certain discharge point cease by 1 January 2021.
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NTGA had applied to extend that date, but the council granted NTGA a much shorter extension than it had sought. After NTGA commenced appeal proceedings, the parties reached agreement and filed a consent memorandum outlining their proposal to resolve the appeal. This included, among other agreed provisions, a restriction on NTGA from applying for a change of conditions of the consent, or a new consent, to continue the discharge after 1 May 2027 ("the Restriction").

The Court said the offer by NTGA to be bound by the Restriction was significant, and that such a condition would ordinarily be beyond the scope of the jurisdiction of a consent authority or, on appeal, the Court because it abrogated the statutory rights to apply for or to seek to amend a resource consent. However, the Court was satisfied that the elements required under the *Augier* principle (explained by the High Court in *Frasers Papamoa Ltd v Tauranga City Council* [2010] 2 NZLR 202) were present and had been responsibly considered by the parties. Pursuant to s 279(1)(b) of the RMA 1991 the Court ordered, by consent, that the resource consent conditions were amended as agreed by the parties. There was no order as to costs.

Decision date 10 August 2022 - Your Environment 31 August 2022

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Director-General of Conservation v Thames-Coromandel District Council - [2022] NZEnvC 153

Keywords: district plan proposed; earthworks; conservation

This matter concerned approval of the final provisions prepared under a s 293 process to amend earthworks provisions for certain zones in the proposed Thames-Coromandel District Plan ("PDP") in order to bring them in line with other zones that had been amended on appeal. This separate process was undertaken because some zones had not been covered by the appeal.

In a 2021 decision, the Court had finalised the s 293 process and directed the parties to provide updated provisions for all of the Urban Zones for final approval by the Court (see *Director-General of Conservation v Thames-Coromandel District Council* [2021] NZEnvC 200). Counsel had now provided the provisions, and also proposed a number of consequential amendments to the Residential Zone – Section 54. The Court approved the updated provisions and the further consequential amendments.

Decision date 16 August 2022 - Your Environment 8 September 2022

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Mangawhai Harbour Restoration Society Inc v Northland Regional Council - [2022] NZEnvC 157

Keywords: regional plan; coastal; conservation; sustainable management; tree protection

This was the final determination of provisions in the proposed Northland Regional Plan to resolve the appeals on Topic 15 (mangrove removal). Most recently, the Court had issued an interim decision to finalise a number of provisions and flag wording matters that required further submissions (see *Mangawhai Harbour Restoration Soc Inc v Northland Regional Council* [2022] NZEnvC 114). In these proceedings, the parties had reached agreement on many of those matters, and had also proposed some additional refinements to ensure that other provisions were clear and internally consistent. The Court endorsed these proposals. However, several issues remained in dispute.

A key disputed matter was an activity rule for mangrove removal by statutory or incorporated bodies for conservation purposes. As it stood, this rule provided that the removal of mangroves by a statutory or incorporated body in the performance of its "statutory functions or powers", for the purpose of maintaining or enhancing "biodiversity and intertidal habitats", was a restricted discretionary activity. This rule had originally been proposed in a different form by the Department of Conservation ("DOC") so that it would only extend to the DOC, but the Court had been concerned that the DOC was allowing itself extended powers while also seeking more restrictive conditions on all other parties. In its interim decision, the Court had therefore generalised this activity status as mangrove removal "by statutory or incorporated bodies" for conservation purposes in order to include other parties that might have statutory functions or powers for the purpose of maintaining or enhancing biodiversity and intertidal habitats (including conservation groups). In the current proceedings, the Minister of Conservation now proposed to narrow the activity to more limited habitats. It submitted that the rule should not apply to "biodiversity and intertidal habitats" but only to roosting, nesting, or foraging sites of an indigenous taxa listed as threatened or at risk of declining. This was opposed by other parties, who said it was unnecessary and that the Minister's proposal would fundamentally change the scope of the rule.

The Court agreed and declined the proposed change. It also rejected a suggestion that the word "statutory" should be inserted before the word "powers" so that the rule only applied in the performance of "statutory powers". It said there was no need to specify this as there were already safeguards built into the rule and the wording had been chosen to avoid "picking winners".

The Court also settled a drafting dispute regarding proposed discretionary and non-complying activity rules for mangrove removal, applying the reasoning it had expressed in its interim judgment. The Court approved the final provisions. As costs applications had not been encouraged and no submissions had been received, there was no order as to costs.

Decision date 18 August 2022 – Your Environment 09 September 2022

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Ovens v Dunedin City Council - [2022] NZEnvC 155

Keywords: consent order; zoning

This consent order concerned an appeal on the zoning and subdivision rules in relation to Patmos Avenue, Dunedin in the proposed Dunedin City Second Generation District Plan ("the PDP"). The parties had filed a consent memorandum outlining their agreement to resolve the appeal, which involved rezoning certain land subject to an overlay with performance standards protecting biodiversity values and the scheduling of the bulk of the property as an Area of Significant Biodiversity Value. Pursuant to s 279(1)(b) of the RMA 1991 the Court ordered, by consent, that the Dunedin City Council amend the PDP as agreed by the parties. By consent, there was no order as to costs.

Decision date 17 August 2022 - Your Environment 09 September 2022

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Auckland Council v K4 Group Management Ltd - [2022] NZDC 15749

Keywords: prosecution; building consent; resource consent; coastal marine area

This was the sentencing of K4 Group Management Ltd ("K4") for offences under the RMA 1991 and Building Act 2004 related to the construction of retaining walls and the extension of a seawall without first obtaining the necessary consents.

The offending took place at two coastal properties in Hawke Crescent, Beachlands. Previously, the cliff at K4's property at 27 Hawke Crescent ("No. 27") had been supported by timber retaining walls, timber viewing platforms with connecting stairs and a retaining wall at the base of the cliff that functioned as a seawall. A landslip occurred in 2017 following heavy rainfall and a cyclone, causing damage to these structures. Further heavy rain in 2018 then caused a second slip. Following both of these events, geotechnical engineers had investigated the site on behalf of the Earthquake Commission ("EQC") and made recommendations regarding remedial work. K4's director had also engaged his own consultants. After the second event, EQC consultants observed that the second slip would not have occurred if the problem had been remedied after the first slip. They concluded that there remained a risk of further movement. In 2019, K4's director engaged contractors on behalf of K4 to construct a series of walls in accordance with structural engineering plans prepared by his consultants. Although the consultants had advised K4's director that consents for the works would be required from the Auckland Council ("the council"), he proceeded on the basis that he would seek any consents retrospectively.

The structures that were ultimately built comprised two retaining walls, both approximately 20m wide, with an up wall approximately 5.8m high and a lower wall approximately 4m high. These were built at No. 27. K4 had also deposited rocks, aggregate and concrete barriers on the foreshore to provide access and a working platform for the machinery needed to construct the retaining walls. Additionally, K4 had deposited rocks and aggregate on the foreshore at the second property, 37 Hawke Crescent ("No. 37"), also to provide access for the construction works. After the council received complaints about the unconsented works and investigated, K4's director told the council he thought this was "maintenance work" and that no consents were required. The council also did not agree that these constituted "emergency" work. The council issued abatement notices under the RMA 1991 and a notice to fix under the Building Act. K's director then retrospectively applied for, and was eventually granted, a building consent and resource consents. While the resource consents retrospectively approved most of the deposition of material on the foreshore at No. 27, no consent was sought for the deposition at No. 37. K4 then paid $20,000 to the council towards its costs in investigating the matter. K4 pleaded guilty to two charges of
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depositing substances on the foreshore in a manner likely to have an adverse effect on the foreshore in breach of s 12(1)(d) of the RMA 1991 (one charge for each property), and one charge of carrying out building work without a building consent in breach of s 40 of the Building Act 2004.

In these proceedings, both parties effectively acknowledged that in terms of the gravity of the offending and the culpability of the offender, the most significant aspect was that K4's director had proceeded to contravene both the RMA 1991 and the Building Act deliberately. The Court agreed he had "thumbed his nose" at the consenting regimes and his sentence therefore needed to emphasise general deterrence. While he would have been extremely concerned about maintaining the safety and value of his property, it was clear that he had "ample time" to proceed with his intended works on notice, at least, to the council. Assuming the council had co-operated in expediting his applications, he possibly could have had all necessary consents in place first. The Court said the consenting regimes existed to ensure that building work is properly planned, assessed and monitored, and this is particularly important in locations prone to damage from a natural hazard.

The Court adopted starting points of $35,000 for the No. 27 offence, $15,000 for the No. 37 offence and $30,000 for the Building Act offence, a total of $80,000. Recognising that the offences were separate but related, it reduced the total starting point to $75,000. The parties largely agreed on the discounts for mitigating factors, namely, up to 10 per cent for K4's efforts to obtain retrospective consents and to remove materials deposited on the foreshore, up to 15 per cent for its $20,000 reparation payment to the council, and 25 per cent for early guilty pleas (a total discount of 50 per cent). Cautious not to undermine the starting point, the Court determined that a total discount of 45 per cent was appropriate.

K4 was convicted and fined $14,765 for the No. 27 offence, $6,330 for the No. 37 offence and $12,655 for the Building Act offence. K4 was also ordered to pay court costs of $130 and solicitor's costs of $113 for each charge. Ninety per cent of the fines were to be paid to the council.

Decision date 23 August 2022 - Your Environment 05 September 2022

Auckland Council v K4 Group Management Ltd - [2022] NZDC 16076

Keywords: prosecution

This was a correction to an error in the Court's sentencing decision in *Auckland Council v K4 Group Management Ltd* [2022] NZDC 15749. Counsel for the prosecution had identified an arithmetic error in [41] and [42] of the decision. The Court agreed that it had inadvertently miscalculated the dollar amount of the discount to the total starting point, which had then led the Court to miscalculate the final penalty for each charge. It confirmed that its intention was to adopt a total starting point of $75,000 and allow a discount of 45 per cent before allocating the total fine among the three charges. The Court was satisfied that it could correct its mistake pursuant to r 1.6(1)(b) of the Criminal Procedure Rules 2012. The Court corrected its decision by: amending the total fine in paragraph [41] to "$41,250"; and amending the fine for each charge in paragraph [42] as follows: "$18,046" for the first listed offence, "$7,737" for the second listed offence and "$15,467" for the third listed offence.

Decision date 23 August 2022 - Your Environment 13 September 2022

(See also news item below.)

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Southland District Council v Dunnage - [2022] NZDC 15778

Keywords: prosecution; procedural; delegated authority

This matter concerned a pre-trial issue as to whether the Southland District Council ("the council") had lawfully brought a prosecution, raising questions about the power delegated to a council committee to initiate a prosecution and potential issues of sub-delegation. The defendants, H and E Dunnage, had been charged with contravening s 9(3) of the RMA 1991 (using land in a manner that contravenes a district rule), an offence under s 338. They indicated they would plead not guilty and elected a judge-only trial. In this pre-trial matter, they alleged that the charges had not been validly brought. The charging documents that were filed specified the prosecutor as "Matthew Russell for Southland District Council" and had been signed by him in his capacity as Group Manager of the Environmental Services Group ("ESG") at the council. The defendants submitted that Mr Russell did not have lawful delegation of authority to file the charges. They alleged that this
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had involved a prohibited sub-delegation, and that the committee that instructed him did not itself have the delegated power to prosecute.

The Court firstly noted that s 34 of the RMA 1991 permitted local authorities such as the council to delegate their functions, powers and duties to any committee of that local authority. Separately, s 34A permitted local authorities to delegate to an employee. However, s 34A expressly provided that a local authority could not delegate its own power of delegation to an employee – this was described as the rule against sub-delegation. The Court then examined the provisions of the council's delegations manual ("Manual"), an instrument that defined how governance was divided and the terms of delegations. Under the governance structure, the council's Regulatory and Consents Committee ("RCC") had been delegated responsibility for "overseeing" the council's delivery of regulatory services and statutory functions including under the RMA 1991. The ESG, headed by Mr Russell, was responsible for delivering the council's regulatory services, including its RMA 1991 functions, and the ESG regularly reported to the RCC. That is what in fact occurred in this case – the ESG had presented reports and evidence regarding this alleged offending to the RCC, and recommended that a prosecution be commenced. The RCC had unanimously accepted the recommendation and requested staff to complete the next steps to implement that decision. Mr Russell had then filed the charges.

Based on the Manual provisions, the Court was satisfied that the RCC had the necessary delegation to have decided to prosecute the defendants. Although the Manual also delegated to the Chief Executive, very broadly and without qualification, the council's powers, duties and responsibilities under the RMA 1991, the Court determined that *both* the RCC and the Chief Executive were empowered to initiate a prosecution. The RCC's powers were not to be read down against the Chief Executive's broad powers. The Court reasoned that there might be circumstances when it was more appropriate for one of those two delegates to decide to prosecute. For example, if the nature of some alleged offending could be seen to undermine confidence in a district plan and/or significantly impact the community, the most appropriate level of decision-making might be the RCC as the appropriate committee. In contrast, prosecutions of less significant scale or types of RMA 1991 offending could be more efficiently dealt with by the Chief Executive.

The Court was also satisfied that the signing of the charging documents by Mr Russell was not an exercise of any further decision or discretion as would offend any prohibition on sub-delegation. He was simply fulfilling his responsibility as the Group Manager to implement what the RCC had decided. Mr Russell's actions did not involve the making of any substantive decision or exercise of any relevant discretion.

The Court also commented that the RCC had been fulfilling a delegation under s 34, and this provision (unlike s 34A) did not expressly exclude sub-delegation. It was therefore at least arguable that sub-delegation from a committee to an officer was available. However, the Court did not need to decide this issue given its finding that Mr Russell had not made any decision and was merely implementing the RCC's decision. The Court found that there was no unlawful delegation or sub-delegation or other invalidity in the decisions and steps taken in the filing of the charging documents.

Decision date 18 August 2022 - Your Environment 05 September 2022

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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 October 2022

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Central government may intervene in Christchurch housing density row

Radio New Zealand reports that Christchurch Mayor Lianne Dalziel says central government will "probably" intervene in a Christchurch housing density row. The council has voted against implementing the national standards for housing density.

Read the full story here.

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Billionaire's plans for luxury lodge rejected

The Otago Daily Times reports that US tech billionaire Peter Thiel's plans to build a 330m-long, hidden, luxury lodge overlooking Lake Wanaka have been rejected by a Queenstown Lakes District Council independent resource consent panel.

Read the full story here.

Billionaire appeals Wanaka luxury lodge ruling

The Otago Daily Times reports that U.S tech billionaire Peter Thiel will take his battle to build a luxury lodge in Wanaka to the Environment Court. Commissioners refused consent for a residence and lodge complex at Damper Bay, Wanaka.

Read the full story here.

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Developers back amalgamated Wellington council concept

Stuff reports that prominent construction industry players in Wellington are backing a single regional authority to streamline the development process. The developers say inefficiencies arise when operating across several districts dealing with multiple consenting authorities.

Read the full story here.

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Building consent costs vary across the country

Stuff reports that Te Waihanga/New Zealand Infrastructure Commission has found some councils estimate that they charge under $2000 for a building consent, while others charge over $7000. The commission recently investigated the costs of overheads, road maintenance and building consents at the country's 67 district and city councils.

Read the full story here.

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River flooding costs upwards of $100 m a year

The Otago Daily Times reports that a joint report by property research firm CoreLogic and reinsurance provider Munich Re says the average annual cost to repair homes damaged by river floods is more than $100 million and forecast to rise.

Read the full story here.

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Protest precedes final council decision on Rotorua reserves proposal

The Rotorua Daily Post reports that a protest will be held preceding the final decision of Rotorua Lakes Council on the proposal to sell seven Rotorua reserve sites - some for public housing.

Read the full story here.

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Parts of Abel Tasman and Queen Charlotte tracks closed due to rain damage

Radio New Zealand reports that some sections of the Abel Tasman and Queen Charlotte tracks are shut following damage caused by recent heavy rain. Department of Conservation staff are checking tracks in the region and the full extent of damage was not yet known. Read the full story here.
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55-level high-rise residential tower approved

Stuff reports that ICD Property has received planning approval to build a 183 m, 55-level residential tower at 65 Federal St, Auckland, which will include 357 residential apartments, and a 1000m² marketplace on the ground floor.

Read the full story here.

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New $38 million walking and cycleway over the Manukau Harbour

Radio New Zealand reports that a new $38m Ngā Hau Māngere walking and cycleway connecting Onehunga and Māngere is to officially open. Work on the new bridge started in 2019.

Read the full story here.

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Treasury working on funding for Government multi-billion mass transit plans

The *Otago Daily Times* reports that Treasury officials will report back to Cabinet early next year with a plan to fund billions of dollars' worth of mass rapid transit across New Zealand's three biggest cities.

Read the full story here.

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Ōhakea Air Base construction ahead of schedule

Whanganui Chronicle reports that the construction of Ōhakea Air Base's newest building has been progressing quicker than expected, according to the Ministry of Defence. Te Whare Toroa is a two-hangar site costing $250 million and being constructed to house the air force's four Boeing P-8A Poseidons. The ministry said this was due to the roof works being slightly ahead of schedule and favourable weather conditions pushing the installation forward.

Read the full story here.

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Opposition to Te Anau dairying development

The Otago Daily Times reports that some local residents oppose Scott Farming 2012 Ltd’s bid to build a 15,000sqm compound of four wintering barns near the Waiau River. A Southland District Council hearing for the application to build the four barns is scheduled for September 21.

Read the full story here.

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Petition to end mining on conservation land

Radio New Zealand reports that a petition signed by 11,000 people has been presented to Parliament requesting that the Government puts an immediate moratorium on applications, processing or granting of prospecting, exploration or mining permits on public conservation land.

Read the full story here.

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Porirua homes eligible for "managed retreat"

Stuff reports that more than 40 houses in Porirua are identified as at risk to rainwater flooding and eligible for managed retreat under a new Porirua City Council draft policy. The policy has been developed after heavy flooding in Plimmerton in late 2020.

Read the full story here.

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Auckland Council villa protections may break law

The New Zealand Herald reports that it understands that the Government views recent Auckland Council moves to protect character villas as being unlawful.

Read the full story here.

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68-lot affordable housing development in Arrowtown

The Otago Daily Times reports that work has begun on a 68-lot affordable housing development in Arrowtown. Construction of the 68 one, two, three and four-bedroom homes was expected to be completed in 2025.

Read the full story here.

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Greenhouse gas emissions fell during lockdowns

Radio New Zealand reports that figures from Stats NZ show the amount of gases that are harmful to the environment and which were released into the atmosphere reduced in 10 out of the 16 regions in New Zealand, between 2019 and 2021.

Read the full story here.

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Social housing development planned for Greytown

Radio New Zealand reports that Kāinga Ora has bought land in Greytown and a social housing development is planned. Kāinga Ora says there is an urgent need for more housing in the region.

Read the full story here.

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'Monstrosity' seawall on Auckland property left trail of damage, say neighbours

Stuff reports that K4 Group Management Ltd was fined for building a seawall at the company owner's property in Auckland, without getting council consent. Neighbours of the “great big monstrosity” seawall say its construction has changed the public foreshore and made the beaches at their properties less sandy. Neighbours, who did not want to be named for fear of reprisals, said the machinery moving back and forth across the foreshore had left a trail of damage. When rocks, used as a platform for diggers and machinery on the foreshore, were removed, much of the sand from the small beaches at the bottom of the neighbours’ properties was also removed, which had impacted their enjoyment of the area.

Read the full story here.

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Economic boost if new homes and buildings are built greener

Radio New Zealand reports that a report, written by economic analysts Business and Economic Research Limited, has found building new homes and large offices with significantly less carbon emissions, would add $147 billion to the country's gross domestic product by 2050.

Read the full story here.

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Mercury plans $115 m wind farm near Gore

The New Zealand Herald reports that Mercury intends to build a new $115 million, 43 megawatt wind farm at Kaiwera Downs, south of Gore. The company has executed contracts for the procurement and construction of the first stage of Kaiwera Downs.

Read the full story here.

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Air New Zealand to fly on sustainable aviation fuel

Stuff reports that Air New Zealand plans to start flying its aircraft partly on sustainable aviation fuel made from recycled cooking oil and animal waste. The fuel will be manufactured by the world’s largest supplier of sustainable aviation fuel, Neste.

Read the full story here.

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