Newslink Case-notes for February 2023 **prepared 20 January 2023.**

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Legal Case-notes February 2023

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

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

- A successful application challenging the scope of a variation to a plan change proposed by Dunedin City Council;
- An application for costs against a party involved in a dispute about tree planting near Arrowtown;
- The decision on rehearing of an appeal against grant of consent for residential development in the vicinity of established vineyards at Gibbston in the Kawerau Gorge near Queenstown;
- Judicial review of a consent by Auckland Council for development at a property at Herne Bay, Auckland contrary to the terms of a memorandum of encumbrance;
- An application by Palmerston North City Council for immediate commencement of provisions in a Plan Change for rezoning of additional residential areas in the city;
- Settlement of appeals for private plan changes to the Auckland Unitary Plan at Drury, South Auckland.

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CASE NOTES FEBRUARY 2023:

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Paterson Pitts Limited Partnership v Dunedin City Council - [2022] NZEnvC 234

Keywords: submission; district plan; variation; jurisdiction

This appeal challenged aspects of a variation to the Dunedin City Second Generation District Plan ("2GP") on the basis of scope issues relating to a submission on the notified version of the variation.

In February 2021, the Dunedin City Council ("the council") notified Variation 2 to the 2GP in order to respond to a projected shortfall in housing supply. Variation 2 was not designed to be a full plan review, but instead a discrete set of changes to address the specific issue of housing. The change of interest in these proceedings was Change A2, which amended the density performance standards to increase density (eg by permitting duplexes in identified residential zones). A number of persons made submissions on A2, including Mr D Murray ("the Murray submission"). The Murray submission expressed support for increased residential density where it was "integrated with complimentary amendments to heritage provisions". It then identified inadequacies in the 2GP protection of heritage buildings. It noted that under 2GP, the primary method of achieving protection was the scheduling of buildings that had been assessed for their heritage significance, and it contended that too few buildings had been scheduled throughout Dunedin. Although Mr Murray did not specify particular relief, he suggested that the council needed to "look better at the flow-on effects of its plan change. Reviewing suburban heritage provisions should be part of this, allowing for densification in a way that better targets it to minimise the loss of the best built

heritage". A s 42A report then discussed the matter raised in the Murray submission, and this led to the development of new heritage provisions; reporting officers recommended a new provision requiring a resource consent for the demolition of pre-1940s buildings. A hearing panel ("the Panel") then gave its decision on the submissions in May 2022, and adopted that recommendation. As well as the new resource consent rule, the Panel also decided to incorporate amendments to objectives and policies in the "Heritage" and "Strategic Directions" chapters of 2GP, to apply to buildings not in the heritage schedule. These chapters had otherwise been unaffected by Variation 2.

The appellant in these proceedings, Paterson Pitts Limited Partnership, challenged Variation 2 on the basis of scope issues. It questioned whether the amendments made by the Panel in response to the Murray submission were fairly raised and within the ambit of the submission, and also questioned whether the Murray submission itself was "on" the variation. The Court treated the latter question as the "pre-eminent" question for determination, and said the former question would only need to be considered if the Murray submission was found to be "on" the variation.

The Court reviewed several authorities on when a submission is "on" a variation. It summarised the two-limb test in *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP 34-02, 14 March 2003 that said: (a) a submission could only be regarded as being "on" a plan change or a variation of it, if it addressed the extent to which the plan change or variation changed the pre-existing status quo; and (b) if the effect of regarding a submission as being "on" a plan change or variation would be to permit a planning instrument to be amended without real opportunity for participation by those potentially affected, that was a powerful consideration against the submission being "on" the variation.

The Court concluded that the Murray submission was not "on" the variation. It said the permissible scope of submissions was framed by the notified variation and accompanying information, particularly the s 32 report. The variation had been expressly stated as "not a full review"; it had stated that the settled 2GP provisions other than those identified in the variation were not within the scope of the change. The Court said the Murray submission focussed on the adequacy of the management regime for a heritage resource within the 2GP that was *not* being altered by the variation. While the Murray submission had addressed the potential effects of intensification, this alternative option had not been addressed in the s 32 evaluation, which had only addressed the effects on street character, gardens and amenity. Further, there were a reasonably large number of owners of pre-1940s buildings who were directly affected by the heritage changes. The Court said they had been disenfranchised by this process. Persons reading the variation and accompanying information when it was notified may have elected not to participate, knowing the deliberately focussed scope of the proposed changes. It was not reasonably foreseeable that heritage protections might be included because the council had deliberately limited the scope of the variation. The Panel's decision could not stand in relation to the new heritage provisions. Pursuant to s 290(2) of the RMA 1991, the decision to include the provisions was cancelled, such that they were deleted. Costs were to lie where they fell.

Decision date 9 November 2022 - Your Environment 1 December 2022 -

Note: this situation is similar to that proposed by a plan change by Auckland Council in 2014 as an "overlay" to the planning maps, where provisions would have required RDA resource consent for demolition or major alterations to pre-1944 residential buildings. This was done without adequate investigation and S32 analysis, despite the obvious reality that many such buildings were not well designed, well built, and may be in poor condition. The plan change by Auckland Council was abandoned following consideration of submissions by an independent planning authority. As this court decision confirms, local authorities need to consider the whole situation before seeking to impose blanket controls on urban development. RHL.

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Hadley v Waterfall Park Developments Ltd - [2022] NZEnvC 203

Keywords: costs

This costs matter related to the substantive decision by this Court in 2021 granting declarations sought by J and R Hadley ("the Hadleys") that tree planting undertaken by the respondent, Waterfall Park Developments Ltd ("Waterfall Park"), along a property boundary next to the Queenstown Trail was a non-complying activity (see *Hadley v Waterfall Park Developments Ltd* [2021] NZEnvC 18). Waterfall Park unsuccessfully appealed this Court's decision to the High Court
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(see *Waterfall Park Developments Ltd v Hadley* [2022] NZHC 376). Now, the Hadleys sought a costs award of $16,782 against Waterfall Park, being 50 per cent of the legal and expert costs they incurred in respect of proceedings in this Court. They alleged that Waterfall Park had advanced arguments without substance.

Waterfall Park argued that an award of costs was not appropriate because the Hadleys had chosen to pursue the declaration proceedings despite there being other options. It said it was the responsibility of the Queenstown Lakes District Council ("the council") to enforce district plan rules, and the Hadleys would not have incurred costs if they had adopted a usual council-led process. In response, the Hadleys argued that they had notified the council but did not hear anything further despite following up.

The Court found that Waterfall Park did not conduct an irresponsible case. However, a costs award was warranted because of the lengths the Hadleys went to in pursuing this matter both in court and before the council. As neighbours who lived alongside the Queenstown Trail, the Hadleys were directly affected by the actions of Waterfall Park and it was reasonable for them to query whether the tree planting contravened the RMA 1991. The Hadleys' efforts to bring clarity regarding Waterfall Park's activities would have incurred costs that would be at least partially recoverable by Waterfall Park. Further, the Court's substantive decision was that Waterfall Park's tree planting was not compliant with the RMA 1991, despite Waterfall Park's obligation to ensure its own activities were compliant.

However, the Court determined that a costs award of 33 per cent was fair, being the top of the standard band. The Court agreed that Waterfall Park had run an argument that was not meritorious (as the Court had concluded that the evidence relied on by Waterfall Park to support its position was speculative). However, that factor alone did not warrant a higher than usual award. Waterfall Park was ordered to pay the Hadleys costs of $11,077.

Decision date 10 October 2022 **-** Your Environment 3 November 2022

(See previous reports in case-notes – August and December 2021 and May 2022. – RHL)

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Gibbston Vines Ltd v Queenstown Lakes District Council - [2022] NZEnvC 208

Keywords: rehearing; evidence new; change in circumstance; subdivision; noise; reverse sensitivity

This was an application for a rehearing of a matter under s 294 of the RMA 1991 on the grounds there were changed circumstances and new evidence. In 2021 the Court had in effect dismissed an appeal by Gibbston Vines Ltd ("GVL") challenging a decision of the Queenstown Lakes District Council ("the council") to decline consent for a proposed subdivision by GVL (see *Gibbston Vines Ltd v Queenstown Lakes District Council* [2021] NZEnvC 23). A key issue in those proceedings was the conflict between the proposed residential development and existing and potential intensifying viticulture; the Court had been concerned about the effect that the proposed residential development would have on the consentability of future frost fans at the neighbouring Brennan Wines site (due to noise effects of the fans). Now, GVL sought a rehearing of the matter because the council had since granted consent to Brennan Wines to establish and operate frost fans. GVL broadly suggested three ways in which this justified a rehearing under s 294: first, that this change in circumstances meant the risk to consentability no longer existed; second, that the frost fans that had now actually been consented were a different model to those that had been used in the acoustic modelling relied upon by the Court, so that the fans now consented had different acoustic characteristics and sound effects; and third, that the consent recently granted to Brennan Wines evidenced a change in the council's approach to these matters – particularly its new acceptance that effects on neighbours who had given written approvals could be ignored.

The Court found that it had no jurisdiction to grant a rehearing. It noted that under s 294 two jurisdictional prerequisites had to be satisfied: first, that there was new and important evidence or a change in circumstances; and second, that this might have affected the decision. The Court agreed that there was new evidence and a change in circumstances, but was not satisfied that this evidence was "important" or could have affected the decision. It found that GVL had overstated the significance of the Court's findings on the Brennan Wines matter to its decision. There were several other findings that informed the decision, including that a number of GVL's intended
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residential building platforms were already exposed to significant noise levels from existing frost fans on neighbouring vineyards, among other findings.

The Court also commented that arguments about how the council was exercising its planning and consenting responsibilities were misplaced in a rehearing application because the Court was not a planning authority and a consent appeal was not an appropriate forum for such inquiry. Further, matters of procedural fairness and the interests of justice did not favour GVL's position. Before the Court had determined to decline the consent, it had issued an earlier interim decision allowing GVL "generous capacity" to revisit its subdivision design to give it the opportunity to secure the best consenting outcome on the available evidence. Despite clear indications from the Court that GVL's original proposal was problematic in reverse sensitivity terms, GVL chose to make only minimal changes to its proposal. In that context, it would be unjust to allow a rehearing. The application for a rehearing was declined. Costs were reserved.

Decision date 14 October 2022 **-** Your Environment 4 November 2022

(See previous reports in case-notes – September 2019 and May 2021. – RHL)

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Bailey v Auckland Council - [2022] NZHC 2632

Keywords: High Court; judicial review; error; persons affected; earthworks; tree protection; landscaping; successor in title

This matter involved applications for interim relief to prevent construction, landscaping, tree pruning and other works from proceeding pending resolution of the plaintiffs' civil claim to enforce an encumbrance and application for judicial review. The second respondents (for convenience, "the respondents") owned land at 13 Marina Parade, Herne Bay ("13 Marina") and proposed to undertake a development to build a swimming pool, cabana and boat shed. Auckland Council ("the council") decided to progress the relevant resource consent applications on a non-notified basis, and then granted the consents. These consents permitted the respondents to undertake earthworks and prune the branches of pōhutukawa trees. The plaintiffs, who owned adjacent land, had previously owned 13 Marina and had registered a memorandum of encumbrance over 13 Marina before selling the property in 2008 (first to another third party, who had then sold 13 Marina to the present owners, the respondents). The encumbrance broadly required the respondents, as successors in title, to meet ongoing obligations to preserve the "natural landscape" and trees in a certain area. It also imposed requirements to actively plant certain plantings, and until that was completed, certain development of the land was temporarily restricted. Those plantings were supposed to be completed by 30 November 2008, but had not been completed.

The plaintiffs commenced the following substantive proceedings in relation to the respondents' proposed development: (a) a civil claim to enforce the encumbrance (and a claim in nuisance, which was not raised in these proceedings for interim relief); and (b) an application for judicial review of the council's decision to process the consents on a non-notified basis. In these proceedings, they sought interim relief in the form of: (a) an interim injunction to prevent the works and pruning from taking place; and (b) interim orders under the Judicial Review Procedure Act 2016 ("JRP Act") prohibiting the respondents from undertaking or continuing works.

The Court firstly addressed the civil claim and the application for interim injunction. The two necessary elements for granting the interim injunction were, first, that there was a serious question to be tried, and second, that the balance of convenience favoured the granting of the injunction. The Court noted that the parties disputed the meaning of "natural landscape". The respondents argued that it pertained only to vegetation, whereas the plaintiffs argued that it included landform or any alteration of the earth. If the plaintiffs' interpretation was correct, the swimming pool installation would be in breach of the encumbrance. The Court said that where there are two opposing interpretations, it is possible that both interpretations are arguable. The question was whether the competing interpretation put forward by the respondents meant that the plaintiffs' interpretation was not seriously arguable. It did not consider this to be the case; it was satisfied there was a serious argument that the encumbrance provided ongoing protection against encroachment and earthworks, and this was consistent with the phrase "natural landscape" being intended to protect the natural landform of the area as well as vegetation.

The parties also disagreed as to whether the proposed trimming of the pōhutukawa trees was captured by the encumbrance. There were two issues; ambiguity as to the legal location of some of
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the trees (creating uncertainty as to whether the encumbrance even applied), and disagreement about whether the proposed pruning would constitute “damage” to the trees. The Court said this required further factual assessment that could not be resolved in this interim hearing. However, based on the evidence of the plaintiffs’ witnesses, there was a serious argument for preservation of the affected trees in their current form. There was also a question as to the nature of the obligation to plant the required plantings by 30 November 2008, and whether the respondents, as successors to the original encumbrancer, were liable to remedy that breach given that the plantings had not been completed. The Court agreed it was seriously arguable that the lapsing of the 2008 date merely entitled the encumbrancee to remedies, and the obligation to complete the plantings had continued to have effect after 2008.

The Court also considered an argument that the plaintiffs should be estopped from enforcing the encumbrance due to delay and misrepresentation. However, it found the respondents had either constructive or actual knowledge of the encumbrance registered on their title. Accordingly, there was no duty on the plaintiffs to speak out about their rights; they were entitled to rely on the fact the encumbrance was registered on the title. An estoppel argument was therefore unlikely to succeed. Further, although due to circumstance and previous breaches of the encumbrance, the land had now changed so much that it was “largely nothing like what was to be protected in 2008”, that was not a basis for the Court to disregard the obligations imposed by the encumbrance. The Court was not persuaded the encumbrancee had waived its rights, and the encumbrance still had to be viewed as capable of enforcement. The Court concluded that the plaintiffs had a seriously arguable case to be tried.

Assessing the balance of convenience, the Court noted that if the works went ahead, the opportunity to enforce the encumbrance would be lost (as once a pool was constructed over the protected area and landscaping was in place, it would not be possible for the required plantings to be done). On the other hand, if the proposed works were delayed, the respondents would suffer loss of amenity and there would no doubt be a financial cost through the works being delayed. Weighing up the alternate outcomes, the Court said it was clear that money could compensate the respondents, but it was difficult to see how money could compensate for contravention of the protected area. Thus, the balance of convenience favoured an interim injunction restraining the swimming pool works and associated earthworks from going ahead until the matter had been determined.

The Court then considered the application for interim orders under the JRP Act, in relation to judicial review of the council’s decision. The orders could be made if, in the Court’s opinion, these were necessary to “preserve the position” of the applicant. It was clear that the council had made several errors regarding the encumbrance; it had failed to realise the encumbrance was registered in favour of the plaintiffs and had not understood the tree protection requirements**.** This oversight arguably meant it reached a decision without adequate and reliable information as to its effect. Concerning the notification decision, the Court saw merit in the plaintiffs’ argument that they were affected persons due to their encumbrance**.** It could be said the council’s decision was wrong in law, or its process was flawed, or both. Although it was premature to determine the remedy for the judicial review, the Court said it was relevant to canvass whether or not a remedy might be granted in order to determine how the parties’ positions could be preserved. If there was no possibility that relief would be granted, then preservation of the plaintiff’s position at this interim point would be futile. The Court said at this early point in the proceedings it was speculative to say that the council would have made the same decision had it taken into account the encumbrance. The consents may not have been granted, or the proposal may have needed to be altered for the consents to be granted. Accordingly, the plaintiffs had a position to protect, being the state of matters prior to resource consents being granted, and in particular, the intact state of the pōhutukawa trees. The application for interim injunction and application for interim orders under the JRP Act were both granted.

Decision date 12 October 2022 **-** Your Environment 10 November 2022

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Re Palmerston North City Council - [2022] NZEnvC 214

Keywords: district plan change; residential; subdivision

This was an application by the Palmerston North City Council (“the council”) for an order under s86D of the RMA 1991 that Plan Change G (“PCG”) to the operative District Plan would have legal
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effect immediately. PCG had been notified on 8 August 2022 and the council was concerned that the purpose and strategy underpinning the plan change would be undermined in the period between notification and the council's decision on PCG.

PCG sought to provide for additional housing supply in Palmerston North City through rezoning a new greenfield growth area for residential development in Aokautere. It also proposed: a Local Business Zone ("LBZ"), which would support retail, commerce and employment-generating activities and provide access to services and amenities; an option for a retirement village; and rezoning to support utilisation and protection of the surrounding gully network. The council submitted that PCG was designed to address the high level of demand for housing in Palmerston North, and to respond to the National Policy Statement on Urban Development 2020 ("NPS-UD"). Further, the current low-level regulatory approach to managing subdivision had resulted in ad-hoc development in Aokautere, with resultant issues including poor urban form outcomes, poor connectivity between developments, a lack of accessible community infrastructure and services to meet local needs, and poor utilisation and protection of the gully network. PCG would address these issues. However, the council considered that there was a risk that the purpose and strategy of PCG could be undermined if it did not have immediate legal effect. A key change with PCG was that restricted discretionary activity status would be extended to undeveloped areas presently zoned Residential where subdivision was a controlled activity. The council was concerned there would be applications for controlled activity subdivisions which were not consistent with the proposed Structure Plan, undermining PCG before it took effect (and some such applications were already in train). The council was also concerned about a retirement village application expected to be lodged soon that was not consistent with the retirement village option strategy in PCG.

The Court said the underlying principle when considering s 86D applications was that the Court must have a sound basis upon which to depart from Parliament's general intent that rules do not have legal effect until they have been through the public submission and decision process. That intention should not be set aside lightly. However, in this case the Court agreed that not giving the rules of PCG legal effect now would risk PCG being undermined. While PCG would have a definite impact on landowners who wished to develop their land in a way that was contrary to the Structure Plan in PCG, the Court said that, in light of the risk to the environment in terms of the ongoing effects of unplanned subdivision and development, it was "appropriate, and in fact necessary" that the PCG rules be given legal effect now. Importantly, PCG was a response to the NPS-UD and the requirement for additional housing capacity in Palmerston North.

The Court noted that the council had engaged in consultation and provided a number of opportunities for the public to be involved in the strategic planning and draft plan change process. As well as hosting a public "drop-in" session where the public could provide feedback, the council had engaged with major landowners, who were largely supportive. It had also engaged with Rangitāne o Manawatū, Waka Kotahi and the Regional Council. Affected landowners and members of the public would now have the opportunity to challenge the provisions through the sch 1 process.

The council had explained that some rules and related performance standards in PCG would apply to all Greenfield Residential Areas in the District Plan, not just Aokautere. The council had suggested it was not a large number of rules, and the consequences were not too onerous as the proposed changes focused on matters of discretion and wording of performance standards and assessment criteria as opposed to wholesale changes in activity status. The Court agreed that it was appropriate to give immediate legal effect to those rules that applied in other areas, as necessary to supporting the PCG aims. The application was granted. PCG rules would have legal effect from the date the Court issued its decision.

Decision date 25 October 2022 - Your Environment 15 November 2022

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Kainga Ora - Homes and Communities v Auckland Council - [2022] NZEnvC 218

Keywords: consent order; appeal procedure; private plan change; noise; residential

This consent order concerned appeals on three private plan changes ("PCs") in the Drury East area (PC48, PC49 and PC50). These PCs proposed to introduce live urban zonings (business, residential and open space) to land currently zoned Future Urban Zone in the Auckland Unitary Plan ("AUP"). Most of the appeals lodged on these PCs raised largely the same or very similar issues. The Court had already made consent determinations for two other PCs in the Drury area –
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PC51 (see *Waka Kotahi New Zealand Transport Agency v Auckland Council* [2022] NZEnvC 177) and PC61 (see *Lomai Properties Ltd v Auckland Council* [2022] NZEnvC 178).

Following discussions and mediation, the parties to these three PCs had reached agreement to resolve the appeals in full. The Court said it would need to be satisfied that the proposed resolution was consistent with the resolved provisions of PC51 and PC61 to the extent of any common issues. The Court considered, in particular, the noise attenuation provisions. The parties had employed the same basic framework and approach as for PC51 and PC61, subject to some minor differences. The Court agreed that these differences were minor, appropriate for the circumstances of the particular PC(s), or were appropriate given the scope of the particular appeals.

The Court agreed with the parties that the amendments would appropriately align with higher order policy documents, and realise the development signalled in the Drury-Opāheke Structure Plan. After reviewing the parties' s 32AA analysis, the Court agreed there was sound rationale for the changes and that they would improve clarity and certainty.

The Court also addressed a particular matter concerning the Medium Density Residential Standards ("MDRS"). Auckland Council ("the council") had previously determined that variations were required to PC49 and PC50 to incorporate the MDRS, and those variations had been notified. However, the Court could not resolve the appeals while the PCs were subject to a variation. The parties now agreed that the preferable approach was for the council to withdraw the variations, for the PCs to be made operative (assuming a consent order would be issued by the Court), and for the council to notify a variation to the council's Intensification Planning Instrument (also known as PC 78) to incorporate the MDRS into the relevant residential zone of the subject areas. The council had accordingly withdrawn its variations to PC49 and PC50. The Court was satisfied with this approach and that it could proceed to make a consent determination. Pursuant to s 279(1)(b) of the RMA 1991 the Court ordered, by consent, that the appeals were resolved by amending the AUP to include the provisions of PC48, PC49 and PC50 as agreed by the parties. There was no order as to costs.

Decision date 1 November 2022 _ Your Environment 18 November 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

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$200 million residential property development in Putāruru

Stuff reports that Ultimate Global Group plans to build 400 new homes on a 38ha residential subdivision on the outskirts of Putāruru. The development will see the town's residential housing stocks increase by more than 20 per cent.

Read the full story here.

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Council drops appeal allowing a huge development at Drury to go ahead

Stuff reports that Auckland Council will drop an appeal, allowing a huge development at Drury to go ahead. An out-of-court agreement has been reached after mediation.

Read the full story here.

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$55 million for Māori housing in Northland

Stuff reports that the Government is providing funding for Māori housing needs in Te Tai Tokerau. The $55 million funding over three years will be used to help deliver infrastructure for 110 houses and supply 80 homes in Northland.

Read the full story here.

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Rotorua Lakes Council reverses decision to revoke reserve status of Rotorua sites

Radio New Zealand reports that Rotorua Lakes Council has scrapped, by a unanimous vote, a decision to revoke the reserve status of seven Rotorua reserve sites for development.

Read the full story here.

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$20 million Waitara stormwater project to begin

Radio New Zealand reports that New Plymouth District Council is about to start a $20 m, 10-year project to improve Waitara's stormwater network to fix flooding issues in the town. Read the full story here.

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Townhouses and multi-units drive increase in consents

Radio New Zealand reports that Stats NZ figures show a rise in the number of townhouses and other multi-residential dwellings is driving the increase in consents for new homes. There were 50,209 new homes consented in the year ended November 2022, up 3.2 per cent compared with the year before. Read the full story here.

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Call for Lake Taupō to be managed at a lower level

The *Rotorua Daily Post* reports that near-maximum lake levels of Lake Taupō over the past four months have led to calls for for tighter control over how much water is released from the lake into the Waikato River. Water levels in the lake are controlled by the conditions of a resource consent held by Mercury Energy. Read the full story here.

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Woman's crusade to tackle plastic use in construction industry

Stuff reports that Taranaki woman Jane Dove Juneau wants to start a conversation about the use of plastic building wrap over sites under development, as a challenge to get people thinking about the environment. Read the article here.
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Social housing development will no longer go ahead on Waiheke Island

Stuff reports that a social housing group is walking away from a six-year project to provide homes for seniors on Waiheke Island. The Auckland Housing Association has deemed its project too expensive. Read the full story here.

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Students ask for oil company executives to be declared criminals

Stuff reports that New Zealand law students are campaigning for BP senior executives to be investigated and tried in the International Criminal Court. The students argue that senior leaders of the fossil fuel industry know their products cause global damage. Read the full story here.

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$350 m housing proposal for former Wellington Prison site

Stuff reports that iwi Taranaki Whānui and developer Ian Cassels' The Wellington Company are proposing a $350 million plan for hundreds of new homes at the former Mt Crawford prison site on Wellington's Miramar Peninsula. The Mātaimoana development would include 650 to 700 houses across 8 ha. Read the full story here.

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NZ's emissions likely to drop a quarter by 2035

Radio New Zealand reports that new projections for New Zealand show that net climate emissions are likely to drop by a quarter by 2035. The figures were prepared by the Ministry for the Environment for the United Nations Framework on Climate Change. Read the full story here.

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Christchurch's $683m Te Kaha stadium making progress

Stuff reports that Christchurch's new stadium Te Kaha is starting to take shape as construction continues on the mammoth project. The project is due to be completed in April 2026.

Read the full story here.

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Passive houses "the future"

Stuff reports that the owners of Marlborough's first certified low energy building from the Passive House Institute, consider passive house standards are the future for the construction industry. Passive houses encompass airtight construction, thermal bridging, good insulation, ventilation, and shading.

Read the full story here.

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Demolition of historic Pareora River dam considered

Stuff reports that the Timaru District Council is considering demolishing the degraded Pareora River dam. The structure, built prior to March 1878, continues to attract swimmers despite ongoing risks.

Read the full story here.

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