

**IN THE ENVIRONMENT COURT  
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA KI  
TĀMAKI MAKAURAU**

**ENV-2024-AKL-000049**

**IN THE MATTER** of the Resource Management Act  
1991 (the **Act**)

**A N D**

**IN THE MATTER** of an appeal under Clause 14(1) of  
Schedule 1 of the Act

**BETWEEN** **KIWIRAIL HOLDINGS LIMITED**

**Appellant**

**A N D** **BAY OF PLENTY REGIONAL COUNCIL**

**Respondent**

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**NOTICE OF INTENTION OF URBAN TASKFORCE FOR TAURANGA  
INCORPORATED TO BE PARTY TO PROCEEDINGS  
15 April 2024**

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**TO:** The Registrar  
Environment Court  
**AUCKLAND**

1. **URBAN TASKFORCE FOR TAURANGA INCORPORATED (UTF)** wishes to be a party to the following proceedings: ENV-2024-AKL-000049, *KiwiRail Holdings Limited v Bay of Plenty Regional Council*, being an appeal under Clause 14(1) of Schedule 1 of the Act on the Proposed Change 6 (National Policy Statement for Urban Development) to the Bay of Plenty's Regional Policy Statement (**RPS**).
2. UTF made a submission about the subject matter of the proceedings.
3. UTF is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. UTF is interested in all of the proceedings, particularly in regards to the reverse sensitivity provisions sought.
5. UTF opposes the relief sought by the appellant because:
  - (a) UTF submitted in support of the Bay of Plenty Regional Council's (**Council**) proposed change to clause 2.8.1(9). The change provided that stress on transport infrastructure arising from intensive urban development will occur unless undertaken in conjunction with well-planned transport improvement. Council's proposed wording promotes intensive urban development by providing that transport infrastructure can be improved to meet development demands. In contrast the appellant's desired relief shifts the focus away from intensive urban development and may restrict opportunities for these types of developments by

requiring management of the interaction between conflicting uses.

- (b) The addition of the criterion in policy UG 7A and other provisions requiring urban development proposals to avoid reserve sensitivity effects on the safe and efficient operation of transport corridors may constrain opportunities for alternative and potentially more advantageous urban development proposals. This is inconsistent with the National Policy Statement for Urban Development as it may restrict urban development proposals that contribute significantly to development capacity and contribute to well-functioning urban environments.

6. UTF agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Signature:**



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Vanessa Hamm/ Cory Lipinski  
Counsel for Urban Taskforce for Tauranga Incorporated

**Date:** 15 April 2024

**Address for service of**

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