

In the Environment Court
At Wellington

ENV-2023-WLG-

I te Kōti Taiao o Aotearoa
KiTe Whanganui-a-Tara

In the matter of Resource Management Act 1991 (RMA)

And

In the matter of a direct referral of an application for resource consent for the construction of a building and associated earthworks at 1 – 24 Tasman Street, Mount Cook, Wellington

By One Tasman Development Limited Partnership

Applicant

**NOTICE OF MOTION UNDER SECTION 87G OF THE RESOURCE MANAGEMENT ACT
1991**

21 June 2023

**SIMPSON
GRIERSON**

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PO Box 2402 Wellington

To: The Registrar
Environment Court
Wellington

1. The One Tasman Development Limited Partnership (**Applicant**) applies under section 87G(2) of the Resource Management Act 1991 (RMA) for its resource consent application (Wellington City Council reference SR No. 528330) (**Application**) to be heard by the Environment Court. The Application is for the construction of a new building and associated earthworks at 1 - 23 Tasman Street, Mount Cook, Wellington Central.

2. The grounds set out for the application are:
 - (a) The Wellington City Council (**Council**) made a decision on 15 March 2023 granting the Applicant's request to allow the Application to be determined by the Environment Court instead of by the Council under section 87E of the RMA;

 - (b) The Applicant has considered the report prepared by the Council under section 87F of the RMA and wishes to proceed to have the Application heard by the Environment Court;

 - (c) The project proposed within the Application involves a development on land in the vicinity of the National War Memorial and associated Pukeahu National War Memorial Park;

 - (d) Issues associated with the project have been raised by submitters, and it is likely that the project will be contentious;

 - (e) It will be more efficient in terms of cost and time for all parties and interested persons to have the matter decided directly by the Environment Court, as the matter may come before the Environment Court in any event through an appeal of any decisions made by the Council; and

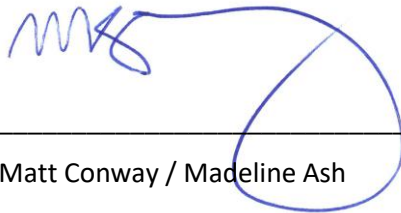
(f) The other grounds are set out in the affidavit of Nicholas Geoffrey Owen accompanying this Notice of Motion.

3. Attached to this Notice of Motion is:

(a) an affidavit of Nicholas Owen in support of this application, as Appendix A; and

(b) a list of names and addresses of persons to be served with a copy of this notice, as Appendix B.

Dated at Wellington this 21st day of June 2023



Matt Conway / Madeline Ash
Counsel for the Applicant

Appendix A: Affidavit of Nicholas Geoffrey Owen

Appendix B: List of Submitters to be Served with a Copy of this Notice

James Krall

80 Rugby Street, Mt Cook, Wellington

james_krall@yahoo.com

Sangeeth Pushewalage

17/4 Sussex Street, Mount Cook, Wellington

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Darko Petrovic

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Todora Koleff

21 Shannon St, Mount Victoria Wellington, 6011

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Tyrone Anderson

242 Taranaki Street, Mt Cook, Wellington

OpenWellington@gmail.com

Stuart Gray

62 Tasman St, Mt Cook, Wellington

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Alyssa Hatton

10/15 Roxbrugh Street, Mount Victoria, Wellington

alyssahatton.amh@gmail.com

Heritage New Zealand Pouhere Taonga Central Region Te Takiwā o Te Pūtahi a Māui

PO Box 2629 Wellington 6140

C/- Dean Raymond, Area Manager

draymond@heritage.org.nz

Historic Places Wellington

3 Manuka St, Ōtaki Beach, 5512

C/- Dr Ben Schrader

lisben@xtra.co.nz

David Povey

Massey University, Mount Cook, Wellington

d.povey@massey.ac.nz

Peter McLuskie

82 Raroa Rd, Kelburn, Wellington

peter.mcluskie@wcc.govt.nz

Nicola Bennett

C/- National Army Museum, State Highway 1, Waiouru

nicola.bennett@nzdf.mil.nz

Graeme Hildred

91 Eden Street, Island Bay, Wellington

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Richard Cooke

PO Box 183, Waikanae 5250

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Wellington Seventh Day Adventist Church

27 Tasman Street, Mount Cook, Wellington,

clerk@wellingtonsda.org.nz

Rhys Morris

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Waka Kotahi NZ Transport Agency

Level 7, Majestic Centre, PO Box 5084, Lambton Quay, Wellington 6145

josh.kenneally@nzta.govt.nz/EnvironmentalPlanning@nzta.govt.nz

C/- Alistair Aburn - Consultant

Level 5/82, Willis Street, Wellington Central, Wellington

alistair@urbanp.co.nz

Aaron Burke

10 Dornoch Place, Papakowhai, Porirua 5024

aaron@wellington-property.co.nz

c/- Property Doctors Ltd

Address for service of applicant:

One Tasman Development Limited Partnership c/- Simpson Grierson
PO Box 2402
Wellington

Attention: Matthew Conway / Madeline Ash

Telephone: (04) 499 4599

Email: matt.conway@simpsongrierson.com

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Advice to recipients of copy of notice of motion

How to become party to the proceedings

1. You may be heard on this application if you come within section 274(1) of the Resource Management Act 1991. If you are a trade competitor of the applicant, your right to be heard may be limited.
2. You may be heard on the application as a party, if –
 - (a) within 15 working days after this notice of motion was lodged with the court, you lodge a notice in form 33 with the Environment Court and serve copies of your notice on the relevant local authority and the applicant; and
 - (b) within 20 working days after this notice of motion was lodged with the court, you serve copies of your notice on all other parties.

Advice

3. If you have any questions about this notice, contact the Environment Court in Auckland, Wellington or Christchurch.