

BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND

I MUA I TE KŌTI TAIAO O AOTEAROA  
TĀMAKI MAKĀURAU ROHE

ENV-2024-AKL-000236

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

**AND**

**IN THE MATTER** of an appeal under section 174 of the Act

**BETWEEN** **OMAC LIMITED AND NEXT GENERATION  
PROPERTIES LIMITED**

Appellant

**AND**

**AUCKLAND TRANSPORT**

Respondent

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**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS ON BEHALF OF  
AUCKLAND COUNCIL**

**6 December 2024**

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**Auckland Council**

Legal Services  
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AUCKLAND 1142

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**To** The Registrar  
Environment Court  
Auckland

1. Auckland Council (**Council**) wishes to be a party to the following proceedings:

OMAC Limited and Next Generation Properties Limited's (**OMAC**) appeal against a decision of Auckland Transport on a Notice of Requirement (**NOR 5**) for a designation relating to the Pukekohe South-East Arterial Project forming part of the Pukekohe Transport Network.

2. The Council is a local authority under section 274(1)(b) of the Resource Management Act 1991 (**RMA**).
3. The Council appointed Independent Commissioners (**Commissioners**) to consider the NOR 5 and submissions received on it, and to make a recommendation to Auckland Transport in accordance with section 171 of the RMA. The Commissioners recommended that the NOR 5 be confirmed subject to conditions. Auckland Transport's decision was notified on 24 October 2024. The decision accepted in part the Commissioners' recommendation in relation to NOR 5 and sets out the modifications made by Auckland Transport to the NOR 5 conditions recommended by the Commissioners on 1 August 2024 and the reasons for the modifications.
4. The Council is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. The Council is interested in all of the proceedings.
6. The Council wishes to participate in this appeal in light of its role as the recommending unitary authority responsible for the Auckland Unitary Plan (Operative in Part). The Council wishes to ensure that any resolution of this appeal results in clear, consistent and enforceable conditions to the designation.
7. The Council generally opposes the relief sought and considers that the conditions in Auckland Transport's decision are appropriate.

8. The Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date: 6 December 2024



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**C J Brown / F Y Cho**  
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