

In the Environment Court
At Auckland

ENV-2024-AKL-000106

I te Kōti Taiao o Aotearoa
KiTāmaki Makaurau

Under the Resource Management Act 1991 (RMA)

In the matter of section 274 of the RMA

Between **AUCKLAND COUNCIL**

Appellant

And **AUCKLAND COUNCIL**

Respondent

**NOTICE OF BEACHLANDS SOUTH LIMITED PARTNERSHIP'S INTENTION TO BE A
PARTY TO PROCEEDINGS**

18 June 2024



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To The Registrar
Environment Court
Auckland

1. Beachlands South Limited Partnership (**BSLP**) wishes to be a party to the appeal by Auckland Council in its capacity as a submitter against the decision of Auckland Council in its regulatory capacity notified on 12 April 2024 and reissued on 23 April 2024 granting Private Plan Change 88 to the Auckland Unitary Plan (Operative in Part) (**PC88**) (the **Appeal**). The Appeal has been given the Environment Court reference *ENV-2024-AKL-000106: Auckland Council v Auckland Council*.
2. BSLP is the requestor of PC88 and therefore has an interest in the Appeal that is greater than the general public. BSLP also made a submission on PC88 dated 10 March 2023 And further submissions on Auckland Council's submission dated 26 May 2023.
3. BSLP is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Proceedings

4. BSLP is interested in all of the proceedings.

Position on the relief sought

5. BSLP opposes the relief sought in the Appeal. The Council's decision correctly found that:
 - (a) PCC 88 including the Future Urban Zone meets the purpose of the RMA being to promote the sustainable management of natural and physical resources.¹

1 At 6(b) and [282] of the Decision.

- (b) PCC 88 gives effect to the National Policy Statement on Urban Development. It delivers a well-established urban environment, including with respect to accessibility and reductions in greenhouse gas emissions.²

- (c) PC 88 gives effect to the Regional Policy Statement as it is specifically envisaged by Policy B2.6, which provides a pathway for urbanisation in Beachlands and meets the overarching objectives of Policy B2.2.³

- (d) With respect to transport related matters:
 - (i) BSLP's modelling is appropriate. The transport related upgrades included in the precinct provisions to address adverse effects arising from PC 88. The precinct provisions provide for any over-estimate in the modelling assumption to be responsibly managed.⁴

 - (ii) The Staging of Subdivision and Development with Transport Upgrades provisions (I.7.3) and the other associated precinct provisions, are appropriate and workable and will ensure the necessary transport infrastructure related upgrades are provided prior to or at the same time as subdivision and development.⁵

- (e) With respect to the supply of potable water:
 - (i) Auckland Council did not raise concerns with potable water in its submission on PC88

2 At [93]-[94] of the Decision.
3 At 6(b) and [103] of the Decision.
4 At 6(c)(i) and [139] of the Decision.
5 At [6](c)(ii) of the Decision.

- (ii) Expert conferencing on matters relating to potable water was held on 30 October 2023 and resulted in a Joint Witness Statement (**JWS**) dated the same day. That JWS records:
 - A. all experts agreed that for the purposes of processing PC88 there is sufficient water supply to service the proposed live zone component of PC88
 - B. the proposed FUZ land would require further assessment at the time that land was live zoned
 - C. precinct provisions relating to water supply were appropriate
 - D. there were no unresolved issues relating to drinking water quality to be addressed under PC88
- (iii) Despite being invited to attend expert conferencing, Council as submitter advised that it did not have an issue with water and did not wish to attend expert conferencing
- (iv) Evidence filed on behalf of Watercare Services Ltd ahead of the hearing confirmed that it does not have any concerns with respect to potable water supply.

Mediation

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

DATED this 18th day of June 2024

A handwritten signature in blue ink, appearing to be 'WSL' followed by a stylized flourish.

Bill Loutit / Rachel Abraham

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Partnership

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