

In the Environment Court
At Auckland

ENV-2024-AKL-000105

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 TRANSPORT**

Appellant

And **AUCKLAND COUNCIL**

Respondent

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

18 June 2024



Bill Loutit/ Rachel Abraham

T: +64-9-358 2222

bill.loutit@simpsongrierson.com

rachel.abraham@simpsongrierson.com

Private Bag 92518 Auckland

To The Registrar
Environment Court
Auckland

1. Beachlands South Limited Partnership (**BSLP**) wishes to be a party to the appeal by Auckland Transport against the decision of Auckland Council notified on 12 April 2024 and reissued with a correction on 23 April 2024 granting Private Plan Change 88 to the Auckland Unitary Plan (Operative in Part) (**PC88**) (the **Appeal**). The Appeal, amended by Auckland Transport on 13 June 2024, has been given the Environment Court reference *ENV-2024-AKL-000105 - Auckland Transport 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 AT'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) PC88 including the Future Urban Zone meets the purpose of the RMA to promote the sustainable management of natural and physical resources.¹

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

- (b) PC88 gives effect to the National Policy Statement on Urban Development. It delivers a well-functioning urban environment including with respect to accessibility and reductions in greenhouse gas emissions.²
- (c) PC88 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 address adverse effects arising from PC88. 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) The mechanisms in the precinct provisions provide sufficient confidence that funding of infrastructure will be integrated to support PC88.

Mediation

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

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.

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

Counsel for Beachlands South Limited
Partnership

Address for service:

Telephone: +64-9-358 2222

Email: bill.loutit@simpsongrierson.com / rachel.abraham@simpsongrierson.com