

**BEFORE THE ENVIRONMENT COURT  
AUCKLAND REGISTRY**

**I MUA I TE KŌTI TAIAO  
TĀMAKI MAKĀURAU ROHE**

**ENV-2024-AKL-000106**

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

**AND**

**IN THE MATTER** of an appeal pursuant to clause 14(1) of the First Schedule of the RMA

**BETWEEN** **AUCKLAND COUNCIL (AS SUBMITTER)**

**Appellant**

**AND** **AUCKLAND COUNCIL**

**Respondent**

---

**SECTION 274 NOTICE FOR WHITFORD RESIDENTS AND RATEPAYERS ASSOCIATION**

**Dated 12 June 2024**

---



---

**S J Simons / B S Morris**

Telephone: (09) 969 2300  
Facsimile: (09) 969 2304  
Email: sue@berrysimons.co.nz  
babettem@berrysimons.co.nz  
Postal: PO Box 3144  
Shortland Street  
AUCKLAND 1140

**To** the Registrar

Environment Court

Auckland

1. Whitford Residents and Ratepayers Association ("WRRRA") gives notice that it wishes to be a party to the appeal ("Appeal") by Auckland Council as submitter ("ACS") against the decision of Auckland Council ("Respondent") in respect of Private Plan Change 88 ("PC 88") to the Auckland Unitary Plan - Operative in Part ("AUP") dated 2 April 2024, reissued with a correction on 23 April 2024, referenced as ENV-2024-AKL-000106.

**Status**

2. WRRRA made a submission on PC 88 in addition to filing its own appeal against Auckland Council (ENV-2024-AKL-000107) and therefore has standing as an organisation that has "made a submission about the subject matter of the proceedings."

**Not a trade competitor**

3. WRRRA is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

**Interest in particular issue**

4. WRRRA is interested in all parts of the Appeal.
5. Specifically, WRRRA is interested in the following aspects of ACS's appeal:
  - (a) The request by ACS for the removal of the Whitford roundabout from the transport infrastructure requirements in standard IXXX.6.3 and the prioritisation of the requirement to construct the Whitford Bypass if PC 88 is approved;
  - (b) ACS's request for various additional safety improvements to Whitford-Maraetai Road; and
  - (c) ACS's concern that PC 88 does not integrate urban growth with the planning and funding of infrastructure, particularly that the Applicant's draft funding plan is insufficient to meet the costs of the required upgrades, such that there will be a substantial demand on the public to fund this private development proposal.

### **Position on relief sought**

6. WRRRA supports the relief sought so far as it is consistent with the relief sought by WRRRA's appeal, on the basis that PC 88 currently:
  - (a) Will not promote the sustainable management of resources, and will therefore not achieve the purposes of the RMA by:
    - (i) Failing to manage the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety; and
    - (ii) Failing to sustain the potential of physical resources to meet the reasonably foreseeable needs of future generations.
  - (b) Does not give effect to, and is not consistent with, the National Policy Statement of Urban Development 2020.

### **Mediation or ADR**

7. WRRRA agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 12<sup>th</sup> day of June 2024

**WHITFORD RESIDENTS AND RATEPAYERS ASSOCIATION** by its solicitors and duly authorised agents, Berry Simons, per:



---

**S J Simons / B S Morris**

#### **Address for service:**

Berry Simons  
Po Box 3144  
Shortland Street  
Auckland 1140

**Telephone:** (09) 969 2300

**Facsimile:** (09) 969 2303

**Email:** sue@berrysimons.co.nz

**Contact:** Sue Simons