

14 February 2025

Auckland Council
Mail Room, Basement 1
135 Albert Street
Auckland 1010

For: Christian Brown; Alison Pye

Notice of Requirement 6 and 10 North Project: Northridge2018 Limited v Auckland Transport

Please find enclosed by way of service a copy of the notice of appeal filed by Northridge2018 Limited in respect of NOR 6 (New Connection between Milldale and Grand Drive) and NOR 10 (Upgrade to Wainui Road) today.

Yours faithfully

Toan Law



Vicki Toan

Director

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BEFORE THE ENVIRONMENT COURT
AT AUCKLAND

I MUA I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU

ENV-2025-AKL-xxxxxx

IN THE MATTER of an appeal under section 174 of the Resource
Management Act 1991

BETWEEN **Northridge2018 Limited**

Appellant

AND **Auckland Transport**

Respondent

NOTICE OF APPEAL

DATED 14 FEBRUARY 2025

Solicitors Acting:

TOANLAW
Solicitor Acting: Vicki Toan
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To The Registrar
Environment Court
Auckland

- 1 Northridge2018 Limited (**Northridge**) appeals a decision on a notice of requirement for a designation for:
 - (a) New Connection between Milldale and Grand Drive (**NOR 6**); and
 - (b) Upgrade to Wainui Road (**NOR 10**).
- 2 Northridge made a submission on the notice of requirement.
- 3 Northridge received notice of the decision on or about 23 January 2025.
- 4 The decision was made by Auckland Transport.
- 5 Northridge is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
- 6 The part of the decision Northridge is appealing is the parts that relates to and affects 379 Wainui Road, Upper Orewa (legally described as Part Allotment 52 Parish of Waiwera SO 1138 held in records of title NA15D/1457 and NA86D/471).
- 7 The site or place to which the requirement relates is:
 - (a) for NOR 6 to an area between Wainui Road in Milldale and Grand Drive in Upper Orewa (**NOR 6**); and
 - (b) for NOR 10, Wainui Road between Lysnar Road and the State Highway 1 northbound offramp.
- 8 The reasons for the appeal are as follows:
 - (a) the nature, scale, and character of the existing business at 379 Wainui Road, being Northridge Country Lodge, a 9-hole golf course, restaurant/café, conference centre, and 27-room hotel has not been adequately taken into account

- (b) the designation will have significant adverse effects on the future functionality and operation of Northridge Country Lodge
- (c) the land area required by NOR 10 will permanently compromise the existing golf course
- (d) an alternative alignment that reduces the impact of the designation on 379 Wainui Road is available; and
- (e) the conditions fail to make adequate provision for:
 - (i) the retention and/or reinstatement of mature trees and existing vegetation within 379 Wainui Road; and
 - (ii) the continuation of the business at 379 Wainui Road, with minimal interruption, during construction.

9 Northridge seeks the following relief:

- (a) in respect of NOR 6:
 - (i) an amendment to the designation boundary to reduce the area of 379 Wainui Road affected by the designation
 - (ii) specific acknowledgement that the owners and operators (jointly and severally) of the Northridge Golf Resort at 379 Wainui Road are stakeholders in respect of conditions 4 and 14
 - (iii) a requirement in condition 13 that management plans be made available to the public on the project website; and
 - (iv) insert “existing mature trees and other vegetation” in the list of features to be reinstated if disturbed during construction in condition 18(c)(x)
- (b) in respect of NOR 10:
 - (i) an amendment to the designation boundary to reduce the area of 379 Wainui Road affected by the designation

- (ii) a positive statement in condition 9 that 379 Wainui Road shall not be used for stormwater management to the effect that 379 Wainui Road shall not be used for stormwater ponds or other stormwater detention or retention devices
- (iii) specific acknowledgement that the owners and operators (jointly and severally) of the Northridge Golf Resort at 379 Wainui Road are stakeholders in respect of conditions 4 and 13
- (iv) a requirement in condition 12 that management plans be made available to the public on the project website
- (v) insert “existing mature trees and other vegetation” in the list of features to be reinstated if disturbed during construction in condition 17(c)(x); and
- (vi) insert into condition 18(b) a requirement that the construction environmental management plan also include:
 - I. “methods for ensuring the continued safe and functional operation of businesses and minimising the impact on of the Construction Works on businesses”; and
 - II. “details of temporary signage including wayfinding signage for businesses”.

10 Northridge attaches the following documents to this notice:

- (a) a copy of its submission
- (b) a copy of the decision
- (c) a list of names and addresses of persons to be served with a copy of this notice.

Dated 14 February 2025



V J Toan
Counsel for Northridge2018 Limited

Address for service

Northridge2018 Limited
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Advice to recipients of copy of notice

How to become party to proceedings

You may be a party to the appeal if—

- (a) you made a submission on the matter of this appeal; and
- (b) within 15 working days after the period for lodging a notice of appeal ends, you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (c) within 20 working days after the period for loading a notice of appeal ends, you serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the relevant submission or the relevant decision. These documents may be obtained, on request, from the appellant.

Advice

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

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List of names and addresses of persons to be served with a copy of this notice

Auckland Transport
C/- Supporting Growth Alliance
Level 5
203 Queen Street
Auckland 1010

Auckland Transport
C/- Bell Gully; Buddle Findlay
Auckland
For: Natasha Garvan; Mathew Gribben
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