

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2024-AKL-000177

UNDER the Resource Management Act 1991 (**Act**)
IN THE MATTER of an appeal against the decision of Auckland Transport to
confirm Notice of Requirement NOR 02-Woodcocks Road West
Upgrade

John Wynyard

Appellant

Auckland Transport

Respondent

Wynyard Family

s.274 Party

**NOTICE OF THE WYNYARD FAMILY TO BE PARTIES TO PROCEEDINGS PURSUANT
TO S.274 OF THE ACT**

Dated 13th August 2024

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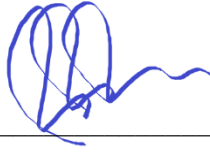


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To: The Registrar
Environment Court
Auckland

1. The Wynyard Family wish to be a party to these proceedings, being *John Wynyard v Auckland Transport (AT)*, which is an appeal (**Appeal**) by Mr Wynyard against AT's decision in respect of NOR 2 – Woodcocks Road West Upgrade – North (**NOR 2**).
 2. The Wynyard Family made a submission in respect of NOR 2, the subject matter of the Appeal. They are not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
 3. The Wynyard Family is interested in all of the Appeal, but are particularly concerned with the extent of NOR 2 as it affects the land the Appellant (and the Wynyard Family) has an interest in where:
 - a. The extent of the NOR 2, particularly as it affects land the Appellant has an interest in, is not reasonably necessary for achieving the objectives of the requiring authority for which the designation was sought;
 - b. There has been inadequate consideration of alternative designation boundaries (where it traverses the property the Appellant has an interest in) which better reflect:
 - i. the objectives of the requiring authority;
 - ii. the relevant planning documents guiding the growth of Warkworth, including the Future Development Strategy (**FDS**), and Warkworth Structure Plan (**WSP**); and
 - iii. reduce the adverse environmental effects of NOR 2;
 - c. The designation in its current form is not in keeping with Part 2 of the RMA and the relevant planning documents including the Auckland Council's FDS and WSP.
 - d. The length of the lapse period is not in keeping with the principles of sustainable management, Part 2 of the RMA and/or the relevant planning documents guiding the growth of Warkworth, including the Future Development Strategy (**FDS**), and Warkworth Structure Plan (**WSP**).
 4. The Wynyard Family supports the relief sought by the Appeal.
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5. The Wynyard Family agrees to participate in mediation or other alternative dispute resolution steps in relation to these proceedings.



P H Mulligan

Barrister

For and on behalf of the Appellant

Date: 13th August 2024

Address for service:

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Advice to recipients of a copy of this 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 lodging a notice of appeal ends, you serve copies of your notice on all other parties.
- d) 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* recommendation) and (*or or*) the relevant decision (*or* part of the 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.
