

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000211

UNDER THE Resource Management Act 1991 ("**RMA**") and the
Local Government (Auckland Transitional
Provisions) Act 2010 ("**LGATPA**")

IN THE MATTER of an appeal under section 156(1) of the LGATPA

AND

IN THE MATTER of section 274 of the RMA

AND

IN THE MATTER of hearing Topic 016 - RPS Changes to the RUB
(North) ("**Topic 016**") and Topic 081 - Rezoning and
Precincts ("**Topic 081**") of the Proposed Auckland
Unitary Plan

BETWEEN **OKURA HOLDINGS LIMITED**

Appellant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE OF WEITI DEVELOPMENT LIMITED PARTNERSHIP'S WISH TO BE
PARTY TO PROCEEDINGS**

3 MARCH 2017

**Russell
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To: the Registrar of the Environment Court at Auckland

And to: the Appellants

And to: Auckland Council

WEITI DEVELOPMENT LIMITED PARTNERSHIP ("WDLP") wishes to be a party to the appeal by Okura Holdings Limited ("**Appellant**") against part of a decision by Auckland Council ("**Council**") to reject a recommendation by the Independent Hearings Panel ("**Panel**") in relation to the Proposed Auckland Unitary Plan ("**Unitary Plan**").

Nature of interest

1. The Appellant's land at issue lies immediately to the south of the Okura estuary and is part of the Okura catchment.
2. WDLP has an interest in the approximately 860-hectare area of land, known as the Weiti Precinct, as that precinct is defined in the Unitary Plan, which lies immediately to the north of the Okura estuary. The Weiti Precinct spans land in three different catchments – Okura, Karepiro and Weiti. The Long Bay – Okura Marine Reserve lies at the bottom of the Okura, Karepiro and Weiti catchments.
3. While WDLP did not make a submission on the land that is the subject of the Appellant's appeal, WDLP made detailed submissions in relation to the Weiti Precinct of the Unitary Plan, including in relation to the assimilative capacity of both the Okura catchment and the Long Bay – Okura Marine Reserve.
4. WDLP is not a trade competitor for the purposes of section 308C of the RMA.

Extent of interest and reasons

5. WDLP is interested in the proceedings insofar as they relate to the assimilative capacity of the Okura catchment and the Long Bay – Okura Marine Reserve to sustain residential development, including within WDLP's land.
6. WDLP does not take a position on the ultimate question of the appropriateness of residential development on the Appellant's land. However:
 - (a) WDLP is currently involved in High Court proceedings which also relate to the capacity of the Okura catchment to sustain residential development.
 - (b) One of the key issues in this appeal relates to the capacity modelling in relation to the Okura catchment and the Long Bay – Okura Marine Reserve.
 - (c) WDLP now understands that any further modelling undertaken in respect of the present appeal may be relevant to the level of residential development that the Council considers may be appropriately enabled in the Weiti Precinct.

- (d) WDLP wishes to ensure that additional modelling is carried out, with a view towards ensuring that the Court has all relevant information before it in relation to the receiving environment.
- (e) There have been ongoing discussions between WDLP and the Council regarding the proceedings in the High Court, including in relation to further modelling that may be undertaken to assess contaminants ending up in the Long Bay – Okura Marine Reserve, including from both the WDLP and Appellant's landholdings.
- (f) During discussions with the Council in relation to WDLP's proceedings, the Council has proposed a broader catchment model which would be relevant to both sets of proceedings. Through those discussions the Council has indicated that the present proceedings provide the best forum for that modelling to be undertaken.
- (g) WDLP therefore considers it necessary that appropriate modelling is undertaken to ensure that a comprehensive approach is taken to the enablement of residential development within the Okura catchment.
- (h) Furthermore, to the extent that additional modelling involves assumptions regarding the level of development that may be undertaken on WDLP's land, all parties (including WDLP) should be involved in discussing the assumptions and parameters that will be used for that modelling and be heard on the outcomes and implications of that modelling.

WEITI DEVELOPMENT LIMITED
PARTNERSHIP by its solicitors and authorised
agents Russell McVeagh:



Signature: D J Minhinnick / G A Willis

Date: 3 March 2017

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Advice

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