

**Before the Environment Court
At Auckland**

**I Mua I Te Kōti Taiao
Tāmaki Makaurau Rohe**

ENV-2025-AKL-000110

UNDER The Resource Management Act 1991 (“RMA”)

IN THE MATTER of an appeal under clauses 14(1) of Schedule 1 of the RMA

AND IN THE MATTER of Private Plan Change 94 to the Auckland Unitary Plan 2016 (Operative in Part)

Between **Open Space for Future Aucklanders Incorporated**
Appellant

And **Auckland Council**
Respondent

And **Ministry of Housing and Urban Development / Te**
Tūāpapa Kura Kāinga
Applicant

Notice of wish to be a party to proceedings

Dated: May 2025

TO: The Registrar
Environment Court
Auckland

AND: Auckland Council

AND: The Appellant

AND The Applicant

1. The Mount Albert Residents Association Incorporated (**MARA**) wishes to be a party under s 274 of the Resource management Act 1991 (**RMA**) to the following proceedings:

The appeal by Open Space for Future Aucklanders Incorporated (**OSFAA**) against part of the decision of Auckland Council (**Council**) in respect of Private Plan Change 94: Wairaka Precinct (**PC 94**) to the Auckland Unitary Plan (Operative in Part), ENV-2025-AKL-000110 (**the Appeal**).

2. The Council decision on PC 94 rezoned additional land to Business Mixed Use and amended the provisions in Wairaka Precinct (**Precinct**) of the Auckland Unitary Plan Operative in Part to provide for intensive redevelopment up to 20 storeys high.

3. MARA lodged a submission on PC 94.

4. MARA is also an incorporated society which has an interest in the proceeding that is greater than the interest that the general public has in terms of s 274(1)(d) of the Act because:

- (a) MARA has 332 members, and our purpose is to support the interests of local residents in matters of significance to our community including through holding public meetings and facilitating engagement with: the Albert Eden local board; local and central government agencies; planning processes; and local community groups involved in social and environmental matters.

- (b) MARA has been involved in planning processes regarding the Precinct and associated activities (such as the Carrington Road corridor upgrade) since the Unitary Plan hearings in 2016.

5. MARA is not a trade competitor for the purposes of section 308C of the RMA.

6. MARA is interested in the entire proceeding.

7. MARA supports the relief sought by OSFFA on the grounds that:

- (a) It will promote the sustainable management of natural and physical resources and is otherwise consistent with the purpose and principles of the Act.

- (b) It will avoid, remedy or mitigate the generation of significant adverse effects on the environment.

- (c) It is appropriate in terms of the requirements of section 32 of the Act and the relevant provisions of applicable planning instruments.

8. MARA also seeks to address fundamental deficiencies with PC 94 in relation to:

- (a) Failure to provide and secure sufficient, quality and accessible Open Space.

- (b) Not giving effect to the National Policy Statement on Urban Development.
- (c) Failing to protect Heritage Buildings and Places (including Penman House).
- (d) Failure to protect: Notable Trees, Significant Ecological Areas (**SEA**) particularly Te Auaunga Awa Oakley Creek SEA, Mōtū Manawa-Pollen Island Marine Reserve and associated 'Threatened' and 'At Risk' species.
- (e) Absence of an appropriate Masterplan.
- (f) Built form and height and amenity.
- (g) Transport, traffic and parking matters including the absence of an appropriate Integrated Transport Assessment (ITA) and a mechanism to update it at appropriate stages during the development horizon, particularly in regard to:
 - (i) public access to and from the Wairaka Precinct through the roads and cycleways at the southern boundary of the precinct including through Phyllis Street, Laurel Street, Renton Road, Rhodes Ave and Mark Road (**Southern Boundary Transport Connections**).
 - (ii) the potential for the provisions associated with the Southern Boundary Transport Connections to create a transport corridor connecting through to Carrington Rd with associated problematic 'rat run' traffic through local roads within and outside the precinct.
 - (iii) the adverse effects of additional traffic and parking generation on surrounding residential areas of the southern boundary transport connections, as well as more widely to Carrington Road, Woodward Road, New North Road, Great North Road, Mt Albert Road, associated intersections and the rail crossing.
 - (iv) Construction traffic effects on surrounding streets.
 - (v) Notification and written comments provisions.

9. MARA agrees to participate in mediation or other alternative dispute resolution.

Dated: 2 May 2025

Mt Albert Residents Association

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