

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

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

<b>UNDER</b>	the Resource Management Act 1991
<b>IN THE MATTER</b>	of an appeal pursuant to Clause 14(1) of the First Schedule to the RMA
<b>AND</b>	
<b>IN THE MATTER</b>	of Decisions on the Proposed Private Plan Change 100 (Riverhead) to the Auckland Unitary Plan – Operative in Part
<b>BETWEEN</b>	<b>ABERDEEN ADVENTURES LIMITED &amp; DESMOND JOHN REID</b> <b>Appellant</b>
<b>AND</b>	<b>AUCKLAND COUNCIL</b> <b>Respondent</b>

---

**NOTICE OF INTENTION BY RIVERHEAD LANDOWNER GROUP TO BE A PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

**DATED 2 June 2026**

---



---

**Sue Simons / Steph Macdonald**

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

**To:** The Registrar

Environment Court

Auckland

1. **RIVERHEAD LANDOWNER GROUP** ("RLG") is the proponent of Proposed Private Plan Change 100 (Riverhead) ("PC100") to the Auckland Unitary Plan - Operative in Part ("AUP") and has been cited as a party to the following proceedings:

The appeal by **ABERDEEN ADVENTURES LIMITED & DESMOND REID** ("Aberdeen Adventures") under Clause 14(1) of the First Schedule to the Resource Management Act 1991 ("RMA") against parts of the decision of the Auckland Council on PC100 that concerns the rezoning for land at 22 Duke Street, Riverhead from Future Urban Zone ("FUZ") to Mixed Rural Zone ("MRZ") and excluding it from the Rural Urban Boundary ("RUB").

2. The purpose of this memorandum is to formally notify the Court through this notice, pursuant to section 274 of the RMA, that RLG intends to participate in all aspects of this proceeding.
3. RLG has an interest in the proceedings that is greater than the interest that the general public has, because it is the proponent of PC100.
4. RLG participated in the hearing process.
5. RLG not a trade competitor for the purposes of section 308C of the RMA.
6. RLG is interested in all aspects of the proceedings.
7. RLG opposes the relief sought by Aberdeen Adventures in its entirety, including for the following reasons:
  - (a) The grounds provided by Aberdeen Adventures in support of its appeal:
    - (i) Are not supported by the evidence put before the Independent Panel when determining whether to approve PC100.
    - (ii) Have no logical connection to the issue of whether PC100 should be overturned in its entirety.
    - (iii) Concern a discrete, site specific, zoning based issue not whether PC100 in its entirety is appropriate.
  - (b) PC100 (as approved by Auckland Council via the Independent Panel):
    - (i) Was developed by three reputable developers who have worked co-operatively with Auckland Council, Healthy Waters and other relevant infrastructure providers to develop a comprehensive, integrated plan change for the PC100 area.
    - (ii) Is the product of years of extensive modelling and investigation into potential flooding effects to ensure that

PC100 will not make a material difference to downstream flooding effects.

- (iii) Will deliver a well-functioning urban environment as defined in the National Policy Statement for Urban Development 2020 ("NPS-UD"), including in terms of ensuring resilience against the effects of climate change.

(c) The relief sought by the Appellant:

(i) Will not:

- Manage the use and development of natural resources in a way that enables people and communities to provide for their social, cultural and economic wellbeing.
- Avoid, remedy or mitigate adverse effects on the environment, in particular adverse flooding effects.
- Give effect to higher order planning documents, including the NPS-UD and the National Policy Statement for Natural Hazards 2025.
- Satisfy the requirements of section 32 and 32AA of the RMA.
- Achieve the efficient use and development of natural and physical resources.

(ii) Is not the most appropriate way to achieve the purpose of the RMA.

8. RLG intends to file a memorandum setting out its opposition to the appeal and, in particular, the relief sought by Aberdeen Adventures that PC100 be overturned in its entirety.
9. RLG agrees to participate in mediation or other alternative dispute resolution of the proceedings and further respectfully requests that mediation be set down as a matter of urgency.



---

**Sue Simons / Steph Macdonald**

**Counsel for Riverhead Landowner Group**

**Date: 2 June 2026**

**Address for Service**

Berry Simons  
Po Box 3144  
Shortland Street  
Auckland 1140  
**Telephone:** (09) 969 2300  
**Facsimile:** (09) 969 2304

**Email:** [sue@berrysimons.co.nz](mailto:sue@berrysimons.co.nz)  
**Contact:** Sue Simons