

IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY

BETWEEN

ALL PARTIES IN UNITARY PLAN APPEAL AND
JUDICIAL REVIEW PROCEEDINGS

Appellant

AND

AUCKLAND COUNCIL

Respondent

Date: 18 October 2016

MINUTE (No 4) OF WHATA J

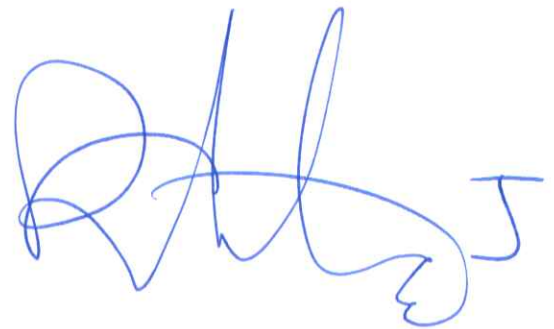
[1] I convened a further telephone conference with Mr Wakefield, for the purposes of confirming the information that will be made available to any interested persons should they visit the Council website. Mr Wakefield confirmed the following for me:

[a] Every submitter on the plan was served with notice of the Council's decisions and advised of any applicable appeal rights.

[b] The Council website includes a link to a summary of the High Court appeals and judicial review proceedings, with a link to the relevant notice of appeal and statement of claim.

[2] I also indicated to Mr Wakefield that the Council site should repeat the rights of appeal and the right to participate in judicial review proceedings within the link to the summary of the High Court appeals and judicial reviews.

[3] Mr Wakefield provided me with a draft of any such content for my approval. A copy of the approved note is attached to this minute.

A handwritten signature in blue ink, appearing to be 'R. Wakefield', with a stylized flourish at the end.

Rights of participation in High Court proceedings

Appeals: Section 301 of the Resource Management Act 1991 (as modified by section 158(5) of the Local Government (Auckland Transitional Provisions Act 2010) provides that any person who appeared before the Auckland Unitary Plan Independent Hearings Panel (i.e. a submitter or further submitter) who wishes to appear in relation to an appeal to the High Court shall give notice of intention to appear. Any such notice must be filed, by hand, with the Registrar of the High Court in Auckland, and be also served at the same time on the Council and on the appellant.

Applications for Judicial Review: Any person who is 'directly affected' by an application for judicial review, and who wishes to join that proceeding, can apply for leave to intervene in the proceeding. Any application for leave to intervene must be filed, by hand, with the Registrar of the High Court in Auckland, and be also served at the same time on the Council and the applicant for judicial review.