

BEFORE THE ENVIRONMENT COURT  
AUCKLAND REGISTRY

[ENV -         ]

I MUA I TE KOOTI TAIAO O AOTEAROA

<b>IN THE MATTER</b>	<b>of Resource Management Act 1991</b>
<b>AND IN THE MATTER OF</b>	<b>of an appeal under Clause 14(1) of Schedule 1 of the Resource Management Act 1991</b>
<b>BETWEEN</b>	<b>Eden Epsom Residential Protection Society Incorporated</b>  Appellant
<b>AND</b>	<b>Auckland Council</b>  Respondent
<b>AND</b>	<b>Southern Cross Hospitals Limited</b>  Requestor

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Section 274 Notice by person's wish to party to proceedings  
Dated 7 July 2020

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To the Registrar  
Environment Court  
Auckland

1. The Tūpuna Maunga o Tāmaki Makaurau Authority (**the Authority**) wishes to be a party to the following proceedings:
  - (a) Eden Epsom Residential Protection Society Incorporated appeal against the Auckland Council decision on private plan change 21 to the Auckland Unitary Plan (Operative in Part) (**AUP**).
2. Southern Cross Hospitals Limited made a private plan change request to amend the AUP. Auckland Council on 12 May 2020 made its decision by majority to approve the private plan change request with modifications. Eden Epsom Residential Protection Society Incorporated on 26 June 2020 provided notice of appeal to this decision.
3. The Authority has an interest in the proceedings that is greater than the general public as in exercising its powers and functions it must have regard to the spiritual, ancestral, cultural, customary, and historical significance of the Tūpuna Maunga to Ngā Mana Whenua. This includes protecting views to and between Tūpuna Maunga (volcanic cones) identified on the AUP Planning Maps and protected by Schedule 9 Volcanic Viewshafts Schedule of the AUP. Land included in private plan change 21 is subject to Regionally Significant Volcanic Viewshafts to protect views to Maungawhau (Mount Eden) and Maungarei (Mount Wellington).
4. The Authority's interest in the proceedings is to ensure planning provisions applying to the land, and in particular building height, do not compromise views to and between Tūpuna Maunga.
5. The Authority is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
6. The Authority is interested in any aspect of the proceeding relating to views to and between Tūpuna Maunga.
7. The Authority agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Dated** 7 July 2020



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**Dominic Wilson**

Head of Co-governance / Te Pou Mana Whakahaere  
Tūpuna Maunga o Tāmaki Makaurau Authority

Address for service of person wishing to be a party:

Tūpuna Maunga o Tāmaki Makaurau Authority  
Private Bag 92300  
Victoria Street West  
Auckland 1142  
135 Albert Street, Auckland

Contact person: Dominic Wilson  
Email: dominic.wilson@aucklandcouncil.govt.nz  
Telephone: 021 532 863

**Note to person wishing to be a party**

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

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.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

**Advice**

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