

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000204

IN THE MATTER of the Local Government Act (Auckland Transitional Provisions) Act 2010 and the Resource Management Act 1991

AND

IN THE MATTER of an appeal under section 156(1) of the Local Government (Auckland Transitional Provisions) Act 2010

AND

IN THE MATTER of Proposed Auckland Unitary Plan Hearing Topic 028 (Future Urban)

BETWEEN **James Richard Davies and Johanne Kahlenberg** as trustees of the Davies Kahlenberg Family Trust

Appellants

AND **Auckland Council**

Respondent

NOTICE OF WISH TO BE PARTY TO PROCEEDINGS

Dated 4 October 2016

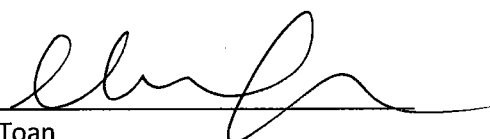
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To: The Registrar
Environment Court
Auckland

- 1 Whitford Forest Holdings Company ("WFHC") wishes to be a party to the proceedings: ENV-2016-AKL-000204: *Davies Kahlenberg Family Trust v Auckland Council*.
- 2 WFHC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 ("RMA").
- 3 WFHC is interested in all of the proceedings.
- 4 WFHC supports the relief sought by the appellant because:
 - (a) Non-complying activity status for subdivision in the Future Urban zone unreasonably limits the potential use and development of Future Urban-zoned land;
 - (b) The respondent has not provided an adequate explanation or justification for rejecting the Independent Hearings Panel's recommendations on this matter; and
 - (c) The respondent's decision fails to give effect to the principles of sustainable management as provided for in Part 2 of the RMA.
- 5 WFHC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 4 October 2016



V J Toan
Counsel for Whitford Forest Holdings Company

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Advice

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