

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000188**

**UNDER** the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**)

**AND** the Resource Management Act 1991 (**RMA**)

**IN THE MATTER** of an appeal under s156 LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the Auckland Unitary Plan

**BETWEEN** **JOHN ROBERT LENIHAN**

**Appellant**

**AUCKLAND COUNCIL**

**AND** **Respondent**

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**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS UNDER SECTION 274 RMA BY  
ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED**

**Dated: 6 October 2016**

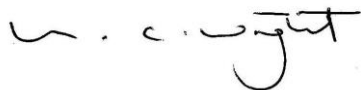
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**Notice of wish to be party to proceedings under s274 RMA by  
Environmental Defence Society Incorporated**

1. The Environmental Defence Society Incorporated (**EDS**) wishes to be a party to the Notice of Appeal ENV-2016-AKL-000188 dated 14 September 2016 by John Robert Lenihan to the Environment Court (**Appeal**) against the decision of the Auckland Council on the Auckland Unitary Plan (**Plan**) that concerns Topic 075 – Waitakere Ranges.
2. EDS made submissions about the subject matter of the Appeal in that it lodged submissions<sup>1</sup> on the Plan regarding subdivision and development within the Waitakere Ranges, and in particular to constrain subdivision to ensure the natural values of the Waitakere Ranges are appropriately protected. It made further submissions<sup>2</sup> in support of the Waitakere Ranges Protection Society Incorporated regarding the same issues. The Appeal is contrary to the relief sought in EDS's submissions because it seeks an increase in the intensity of development enabled in the Waitakere Ranges.
3. EDS is not a trade competitor for the purposes of s308C or s308CA RMA.
4. EDS is interested in and opposes the relief sought in the Appeal.
5. The relief sought in the Appeal is inappropriate in terms of s32 RMA, inconsistent with the purpose, principles and provisions of the RMA, inconsistent with the Waitakere Ranges Heritage Area Act 2008, unnecessary and counter-productive, and will compromise the sustainable management of resources.
6. EDS agrees to participate in mediation or other alternative dispute resolution of the Appeal.

**Dated 6 October 2016**



**M C Wright**

**Counsel for Environmental Defence Society Inc**

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<sup>1</sup> Submission number 4735.

<sup>2</sup> Further submission number 1974.

This document is filed by **Madeleine Cochrane Wright** solicitor for the Environmental Defence Society Incorporated.

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