

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**



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

AND

IN THE MATTER of an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel ("**Hearings Panel**") on the proposed Auckland Unitary Plan ("**Proposed Plan**")

AND

IN THE MATTER of an Application for Waiver under section 281 of the RMA

BETWEEN **HOUSING NEW ZEALAND CORPORATION**

Appellant

A N D **AUCKLAND COUNCIL**

Respondent

**NOTICE OF MOTION BY HOUSING NEW ZEALAND CORPORATION UNDER
SECTION 281 OF THE RMA APPLICATION FOR WAIVER**

DATED: 16th September 2016

**ELLIS GOULD
SOLICITORS
AUCKLAND**

REF: Dr Claire Kirman / Alex Devine

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TO: The Registrar
Environment Court
AUCKLAND

1. Housing New Zealand Corporation ("**the Corporation**") applies pursuant to section 281 of the RMA for a waiver and direction as to the documents that shall be served.
2. The Corporation seeks the following waiver and direction:
 - (a) A waiver of the usual requirement under clause 14(5) of Schedule 1 to the RMA, regulation 11 and Form 6 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013 to attach a copy of the Corporation's submission and/or further submission (with a copy of the submissions opposed or supported by its further submission) on the Proposed Plan to its Notice of Appeal; and
 - (b) A direction that the Corporation need only attach the relevant parts of its submission and/or further submission on the Proposed Plan to its Notice of Appeal and that copies of the submissions opposed or supported by the Corporation's further submission need not be attached.
3. The Corporation seeks the above waiver and direction on the following grounds:
 - (a) In total, the Corporation's primary submission ran to 4 volumes, was 274 pages long and contained 9980 individual submission points (as identified by Auckland Council). The Corporation's further submission was 53 pages long and made further submissions in respect of 1239 individual submission points.
 - (b) The waivers and directions proposed above will:
 - (i) Substantially reduce the burden on the Council and Court who may otherwise have to sift through the Corporation's substantial submission and further submission to find the relevant submission points giving scope for the appeal.
 - (ii) Minimise the quantities of paper which would otherwise be generated if the Corporation were to attach their entire submission, further submission and copies of any submissions

opposed or supported by its further submission to its Notice of Appeal.

- (c) No parties to the proceedings will be unduly prejudiced in circumstances where the relevant submission points giving scope for the appeal will be attached and copies of the entire submission and further submission documents may be obtained by parties, on request, from the Corporation.

DATED at Auckland this 16th day of September 2016

Housing New Zealand Corporation by its
solicitors and duly authorised agents Ellis Gould



Dr C E Kirman / A K Devine

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