

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000207**

**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 Plan Hearing Topics 011 RPS Rural, 023 SEA and Vegetation Management, 056 & 057 rural Objectives and Policies & Rural Activities and Controls and 064 Subdivision (Rural)

**BETWEEN** **David Mason, Better Living Landscapes Limited, Parallax Surveyors Limited, Flucker Surveyors Limited and Sayes in Trust Limited**

**Appellants**

**AND** **Auckland Council**

**Respondent**

---

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS**

**Dated 4 October 2016**

---

---

**Glaister Ennor**  
Barristers | Solicitors | Notary Public

DX CX 10236, Auckland/PO Box 63, Auckland 1140  
Telephone: +64 9 356 8243  
Facsimile: +64 9 356 8244  
Solicitor Acting: V J Toan  
Email: vicki.toan@glaister.co.nz

**To:** The Registrar  
Environment Court  
Auckland

- 1 Whitford Forest Holdings Company ("WFHC") wishes to be a party to the proceedings ENV-2016-AKL-000207: *Mason & Others 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 part of the proceedings relating to the activity status of subdivision in the Future Urban zone and Table E39.4.3 of the Decisions Version of the Proposed Auckland Unitary Plan.
- 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

**Address for Service:**

Whitford Forest Holdings Company  
C/- Glaister Ennor  
DX CX 10236, Auckland  
P O Box 63, Shortland Street, Auckland 1140

For: V J Toan

Telephone: + 64 9 356 8243  
Facsimile: + 64 9 356 8244  
Email: [vicki.toan@glaister.co.nz](mailto:vicki.toan@glaister.co.nz)

**Advice**

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