

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2020-AKL-000132

UNDER the Resource Management Act 1991 ("RMA")

IN THE MATTER of Clause 14(1) of Schedule 1 of the RMA

BETWEEN **NEW ZEALAND TRANSPORT AGENCY**

Appellant

A N D **WHANGAREI DISTRICT COUNCIL**

Respondent

**NOTICE OF KĀINGA ORA - HOMES AND COMMUNITIES WISH TO BE A
PARTY TO PROCEEDINGS**

4 AUGUST 2020



REF: Dr Claire Kirman

Kāinga Ora -
Homes and
Communities

PO BOX
2628
Wellington
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Zealand
Government

**NOTICE OF KĀINGA ORA - HOMES AND COMMUNITIES WISH TO BE A
PARTY TO PROCEEDINGS**

To: The Registrar
Environment Court
Auckland

1. **KĀINGA ORA - HOMES AND COMMUNITIES** (“**KĀINGA ORA**”) gives notice under section 274 of the RMA that it wishes to be a party to these proceedings, being *New Zealand Transport Agency v Whangarei District Council* (ENV-2020-AKL-000132) (“**the Appeal**”).
2. The Appeal is in respect of parts of a decision made by the Whangarei District Council on to the provisions of the Proposed Whangarei District Plan Urban and Services Plan Changes (“**the Plan Changes**”) relating to regionally significant infrastructure, the requirements for Integrated Transport Assessments, and provisions to manage potential effects on noise sensitive activities in close proximity to the State highway network (“**the Decision**”).
3. Kāinga Ora made a submission the Plan Changes as well as a further submission in opposition to the Appellant’s submission on the matters which are now the subject of the Appeal. It also has an interest in the proceedings that is greater than the interest of the general public. Kāinga Ora is a significant landowner within the Whangarei District and has responsibility for the provision and maintenance of a considerable portion of the District’s existing and future social housing infrastructure.
4. Kāinga Ora is not a trade competitor for the purposes of section 308C or 308CA of the Act.
5. Kāinga Ora is interested in the proposed provisions for the management of noise sensitive activities in proximity to the State highway network as set out in Appendix A to the Notice of Appeal.
6. In particular, Kāinga Ora is interested to ensure that the Plan Changes attain an appropriate balance between managing the potential for reverse sensitivity effects and enabling the efficient use of land and infrastructure by allowing residential development to locate close to key transport routes.

7. Kāinga Ora opposes the relief sought by the Appellant because if the relief sought is granted, and the Decision modified as sought, the Decision:
- (a) will be contrary to the sustainable management of natural and physical resources;
 - (b) will be inconsistent with the purpose and principles of the RMA;
 - (c) will in those circumstances impact on the ability of people and communities to provide for their social, economic and cultural wellbeing; and
 - (d) will not provide for the efficient use and management of natural and physical resources.
8. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 4th day of August 2020

**KĀINGA ORA – HOMES AND
COMMUNITIES** by its solicitor



Claire Elizabeth Kirman

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Advice

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