

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO O AOTEAROA  
I TAMAKI MAKAUROA ROHE**

**ENV-2020-AKL-000132**

**IN THE MATTER**

of the Resource Management Act  
1991 (*the Act*)

**AND**

**IN THE MATTER**

of an appeal pursuant to Schedule 1,  
clause 14 of the Act

**BETWEEN**

**NEW ZEALAND TRANSPORT  
AGENCY**

Appellant

**AND**

**WHANGAREI DISTRICT COUNCIL**

Respondent

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**NOTICE OF THE UNIVERSITY OF AUCKLAND'S WISH TO BE PARTY  
TO PROCEEDINGS UNDER SECTION 274 OF THE ACT**

Dated: 4 August 2020

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**GREENWOOD ROCHE**  
LAWYERS  
AUCKLAND  
Solicitor: F M LUPIS  
(francelle@greenwoodroche.com)

Level 12, 2 Commerce Street  
Auckland 1010  
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**To:** The Registrar  
Environment Court  
Auckland

- 1 The University of Auckland (*the University*) gives notice under section 274 of the Act 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 (*the Council*) on 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 The University made a submission on the Plan Changes as well as a further submission in opposition to the Appellant's original submission on the matters which are now the subject of the Appeal.
- 4 The University has an interest in the proceedings that is greater than the interest of the general public. The University owns land at 13 Alexander Street, Whangārei, being the Te Tai Tokerau Campus (*the Campus*) which will be directly affected by the subject matter of the Appeal. The Campus provides a range of tertiary programmes in education and teaching for those living in Northland.
- 5 The University is not a trade competitor for the purposes of section 308C or 308CA of the Act.
- 6 The University is interested in that part of the proceedings that relates to the proposed new noise provisions for managing noise sensitive activities in proximity to the State highway network and rail network as set out in the Notice of Appeal.
- 7 In particular, the University is interested to ensure that the District Plan achieves an appropriate balance between managing the potential for reverse sensitivity effects and enabling the efficient use

of land and infrastructure by avoiding unnecessary restriction within the mixed use environment.

- 8 The University 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 Act;
  - (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.
- 9 The University agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 4<sup>th</sup> day of August 2020



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**F M LUPIS**

Counsel for the University of Auckland

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**Advice**

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