

**BEFORE THE ENVIRONMENT COURT**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of a an appeal pursuant to clause 14 of the First Schedule to the Act

**AND**

**IN THE MATTER** of Auckland City District Plan – Hauraki Gulf Islands Section – Proposed 2006

**BETWEEN** **CHRISTIAN WHATA (TRUSTEE OF THE WAIHANGA KAINGA TRUST)**

Lodgement: ENV-2009-AKL-000349

Appellant

**AND** **AUCKLAND CITY COUNCIL**

Respondent

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NOTICE OF INTENTION TO BE HEARD UNDER SECTION 274 OF THE RESOURCE  
MANAGEMENT ACT 1991

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**BROOKFIELDS  
LAWYERS**  
A M B Green  
Telephone No. 09 379 9350  
Fax No. 09 379 3224  
P O Box 240  
DX CP24134  
AUCKLAND

TO: The Registrar  
Environment Court  
**AUCKLAND**

1. Take notice that **ANSWER SERVICES HOLDINGS LIMITED ("ASHL")** requests to be heard under section 274 of the Resource Management Act 1991 ("the Act") in relation to an appeal under Clause 14(1) of the Act by Christian Whata (trustee of the Waihanga Kainga Trust) ("Whata") regarding decisions by the Auckland City Council ("the Council") on the Auckland City District Plan - Hauraki Gulf Islands Section – Proposed 2006 ("HGI Plan").
2. **ASHL** claims status to be heard on the appeal as a party who made submissions and further submissions on the same matters within the HGI Plan.
3. **ASHL** is interested in the whole appeal.
4. **ASHL** supports the Whata appeal insofar as it is consistent with the **ASHL** appeal, and because the relief sought:
  - (a) is not contrary to the purposes and principles of the Act;
  - (b) is the most appropriate means of assisting the Council in fulfilling its functions, powers and duties under the Act; and
  - (c) is reasonable, certain and not ambiguous.
6. **ASHL** supports the relief sought which is consistent with the relief sought in its own appeal, for the reasons expressed in that appeal.
7. **ASHL** agrees to participate in mediation and other alternative dispute resolution of these proceedings.
8. A copy of this notice has been served on the parties to the appeal listed below.

DATED the <sup>12</sup>24 day of August 2009

**ANSWER SERVICES HOLDINGS LIMITED** as  
appellant by its lawyers and duly authorised agents  
**BROOKFIELDS**

per:



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A M B Green  
Counsel for appellant

**Address for service of appellant:**

Brookfields Lawyers  
A M B Green  
Telephone No. 09 379 9350  
Fax No. 09 379 3224  
P O Box 240  
DX CP24134  
Auckland

**THIS NOTICE** is filed by **ANDREW MICHAEL BASFORD GREEN**, solicitor for Answer Services Holdings Limited. The address for service of Answer Services Holdings Limited is at the offices of Brookfields, Lawyers, 11th Floor, 19 Victoria Street West, Auckland 1001.

Documents for service on Answer Services Holdings Limited may be left at the address for service or may be:

1. Posted to the solicitor at P O Box 240, Auckland 1001.
2. Left for the solicitor at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitor by facsimile to 09 379 3224.

**Names and addresses of persons who have been served with a copy of this notice:**

1. Christian Whata (Trustee of the Waihanga Kainga Trust)  
c/o Russell McVeagh  
Barristers and Solicitors  
PO Box 8  
DX CX 10085  
**AUCKLAND 1140**

**ATTENTION:** Bal Matheson / James Dow

2. Auckland City Council  
Team Leader - Litigation and Regulatory Team  
Private Bag 92516  
Wellesley Street  
**AUCKLAND**