

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-199

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

AND

IN THE MATTER

of Proposed Auckland
Unitary Plan ("PAUP")
Hearing Topics 017 RUB
South and 080 and 081
Rezoning and Precincts

BETWEEN

**JOHN SELF, ADRIANA
SELF AND ROGER
CLARK as trustees of
THE SELF FAMILY
TRUST**

Appellants

AND

AUCKLAND COUNCIL

Respondent

**NOTICE BY AMBURY PROPERTIES LIMITED OF WISH TO BE A PARTY TO
APPEAL**

Dated 7 October 2016

To: The Registrar
Environment Court
Auckland

1. Pursuant to section 274 of the Resource Management Act 1991 ("RMA"), Ambury Properties Limited ("APL") hereby gives notice that it wishes to be a party to the appeal by John Self and others as trustees of the Self Family Trust ("Trust"), ENV-2016-AKL-199.
2. The appeal concerns the Council's decision to reject the Independent Hearings Panel ("IHP") recommendations regarding the location of the Rural Urban Boundary ("RUB") and zoning of land (including Crater Hill) within the Puhinui Precinct under the proposed Auckland Unitary Plan ("PAUP").
3. APL is successor in title under section 2A of the RMA to a submission made on the PAUP by David Tam (submission 3821) regarding the location of the RUB and appropriate zoning of land (including of Crater Hill) within the Puhinui Precinct.
4. APL is also a person who has an interest in the proceedings greater than the general public, because APL owns the land at 72 Tidal Road which is within the Puhinui Precinct and directly adjacent to the Crater Hill land.
5. APL is not a trade competitor for the purposes of s 308C of the RMA.
6. APL is interested in all aspects of the Trust's appeal.
7. APL:
 - (a) Supports the relief sought by the Trust, to the extent that this would provide that 72 Tidal Road is to be located within the RUB and given a live zoning of Light Industry in accordance with Council's decisions on the PAUP dated 19 August 2016; and
 - (b) Otherwise opposes the relief sought by the Trust, to the extent that this would unduly and unreasonably constrain appropriate development being undertaken on 72 Tidal Road, in accordance with its Light Industry zoning under the PAUP.
8. APL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated at Auckland the 7th day of October 2016.

AMBURY PROPERTIES LIMITED by its solicitors
and duly authorised agents **BERRY SIMONS:**



S J Berry / H C Andrews

ADDRESS FOR SERVICE OF APPELLANT

Berry Simons
PO Box 3144
Shortland Street
AUCKLAND 1140

Telephone: (09) 969 2300

Facsimile: (09) 969 2304

Email: simon@berrysimons.co.nz / helen@berrysimons.co.nz

Contact person: Simon Berry, Partner / Helen Andrews, Senior Associate

