

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-255

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 Proposed Auckland Unitary
Plan ("PAUP") Hearing Topic
081 Rezoning and Precincts

BETWEEN

**DAVID ALISON and
GERARD MURPHY**
43 Wood St, Freemans Bay

**BRENDAN DRURY and LIZ
ADAMS**
32 Wood St, Freemans Bay

**WILL TIPPING and
KIRIANA TIPPING**
30 Wood St, Freemans Bay

**PETER WITHEL and
SARAH WITHEL**
3 Ryle St, Freemans Bay

**ALISON LEVERSHA and
NEIL MACLENNAN**
40 Wood St, Freemans Bay

DARRYL GREGORY
23 Arthur St, Freemans Bay

Appellants

AND

AUCKLAND COUNCIL

Respondent

**NOTICE OF FREEMANS BAY RESIDENTS ASSOCIATION'S
WISH TO BE A PARTY TO APPEAL**

TO: The Registrar of the Environment Court
PO Box 7147
Wellesley Street
Auckland 1010

1. Pursuant to section 274 of the Resource Management Act 1991 ("RMA"), Freemans Bay Residents Association ("FBRA") wishes to be a party to this appeal by David Alison, Gerard Murphy, Brendan Drury, Liz Adams, Will Tipping, Kiriana Tipping, Peter Withel, Sarah Withel, Alison Leversha, Neil MacLennan, and Darryl Gregory ("Appellants").
2. The appeal concerns the Council's decision to rezone 32 and 34 Wood Street, Freemans Bay ("the Sites") as Mixed Housing Urban, rather than the Single House zoning included in the PAUP as notified.
3. FBRA is a person who made submissions on the Proposed Auckland Unitary Plan ("PAUP"), namely submissions seeking to retain the special character of the Freemans Bay area.
4. FBRA is also a person who has an interest in the proceedings that is greater than the interest the general public has, because FBRA's members own land affected by the rezoning at issue in this appeal. FBRA is an incorporated society that represents the interests of landowners in the Freemans Bay area, including in the planning process.
5. FBRA is not a trade competitor for the purposes of s 308C of the RMA.
6. FBRA supports the relief sought. The reasons for its position include, but are not limited to:
 - (a) The relief sought promotes the sustainable management of natural and physical resources in accordance with s 5 of the RMA.
 - (b) The relief sought enables the community to provide for its social and economic wellbeing in accordance with s 5(2) of the RMA.
 - (c) The relief sought provides for the protection of historic heritage from inappropriate subdivision, use, and development in accordance with section 6(f).
 - (d) The relief sought would appropriately have regard to the maintenance and enhancement of amenity values in accordance with section 7(c).

- (e) The relief sought would appropriately have regard to the actual and potential effects of the proposed development on the environment.
 - (f) The relief sought would appropriately have regard to the Isthmus A Special Character overlay applicable to the Sites.
7. FBRA agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at **AUCKLAND** this 6th day of October 2016



**David Wren (Planner representing)
Freemans Bay Residents Association**

ADDRESS FOR SERVICE OF APPLICANT

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APPENDIX A
NAMES AND ADDRESSES OF PERSONS SERVED
WITH A COPY OF THIS APPLICATION

Name	Address
Auckland Council	unitaryplan@aucklandcouncil.govt.nz Christian.Brown@aucklandcouncil.govt.nz , mike.wakefield@aucklandcouncil.govt.nz
Housing New Zealand	ckirman@ellisgould.co.nz
Laurence Nash Owner of 34 Wood St, Freemans Bay	laurence@nashdesign.co.nz
Paul Willetts Owner of 34 Wood St, Freemans Bay	paulwilletts@clear.net.nz