

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL- 000229

IN THE MATTER

of the Local Government (Auckland Transitional Provisions) Act ("**the Act**")

AND

IN THE MATTER

of an appeal pursuant to section 156(1) of the Act

BETWEEN

RONALD A WALDEN

Appellant

AND

AUCKLAND COUNCIL

Respondent

**NOTICE OF WISH FOR MAN O'WAR FARM LIMITED
TO BE PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE
RESOURCE MANAGEMENT ACT**

**TO: The Registrar
Environment Court
Auckland**

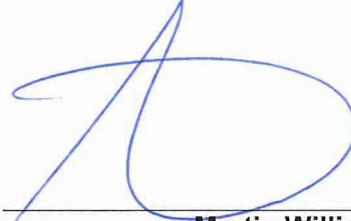
1. Man O' War Farm Limited (**Man O' War Farm**) wishes to be a party to the following proceedings, being an appeal regarding the proposed Auckland Unitary Plan ("**Unitary Plan**") lodged under s156(1) of the Act:
 - *Ronald A Walden v Auckland Council* – ENV-2016-AKL-000229.
2. Man O' War Farm has an interest in the proceedings that is greater than the interest that the general public has (including for the reasons set out in paragraph 5 below).
3. Man O' War Farm is not a trade competitor for the purposes of s308C of the Resource Management Act ("**RMA**").
4. Man O' War Farm is interested in all aspects of the appeal.
5. Man O' War Farm opposes the relief sought in the appeal, on the following grounds:
 - (a) Man O' War Farm owns an area of 2,364 ha of land on Waiheke Island and nearby Ponui Island which is currently used for a range of purposes, primarily associated with farming and horticulture.
 - (b) Some 480 ha of Man O' War Farm's Waiheke Island property is mapped as a Significant Ecological Feature under the operative Hauraki Gulf Islands District Plan, with various zones applied to the property, including Productive Land, Coastal Cliffs, and Regenerating Slope/ Forest and Bush Areas.
 - (c) Man O' War Farm made submissions to the Unitary Plan on the assumption that from the point at which the Hauraki Gulf Islands are brought within the Unitary Plan, a Rural Production or Rural Coastal zone would be applied to its Island properties.

- (d) Specifically, and with that understanding, Man O' War Farm made submissions to various parts of the Unitary Plan including what are now parts B9 and E39 dealing with the Rural Environment (at Regional Policy Statement level) and Subdivision respectively. Man O' War Farm sought better provision for rural lifestyle or countryside living subdivision within the relevant parts of the Unitary Plan in those submissions, and supported other submissions to similar effect.
- (e) Man O' War Farm has appealed the decisions of the respondent to delete provisions recommended by the Hearings Panel that it supported as addressing its submissions (and apply alternative provisions that would not).
- (f) Man O' War Farm also seeks to ensure that when the Hauraki Gulf Islands are brought within the Unitary Plan, the regulatory framework for rural subdivision associated with protection and restoration of landscapes and ecological resources is an improvement on (and no less enabling than) the equivalent provisions of the operative Hauraki Gulf Islands District Plan.
- (g) Reinstatement of the Rural Urban Boundary into the Regional Planning Framework for Waiheke Island as sought in the appeal would be contrary to (and potentially frustrate) the objectives sought to be achieved by Man O' War Farm through its submissions and appeal on the Unitary Plan as summarised above.

6. Man O' War Farm agrees to participate in mediation regarding these proceedings.

Signature:

Man O' War Farm Limited by its counsel:



Martin Williams

Date:

28

September 2016

Address for service:

Martin Williams
PO Box 754
NAPIER 4140

Telephone:

06 835 0665

Facsimile:

06 835 6269