

BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY

ENV-2016-AKL-000207

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 of the
LGATPA

BETWEEN

DAVID MASON
BETTER LIVING LANDSCAPES
LIMITED
PARALLAX SURVEYORS LIMITED
FLUKER SURVEYORS LIMITED
SAYES IN TRUST LIMITED

Appellants

AND

AUCKLAND COUNCIL

Respondent

**NOTICE OF INTENTION TO BE PARTY TO PROCEEDING PURSUANT
TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991
7 OCTOBER 2016**

TO: The Registrar
Environment Court

AUCKLAND

AND TO: The Appellants

AND TO: The Respondent

1. Take notice that **OMAHA PARK LIMITED** requests to be heard under section 274 of the RMA in respect of the notice of appeal lodged by David Mason & Others in relation to a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the proposed Auckland Unitary Plan (**Proposed Plan**).
2. **OMAHA PARK LIMITED** claims status to be heard as a person with an interest in the proceeding that is greater than the general public for the following reasons:
 - 2.1 It was a submitter (5779) and a further submitter (FS 2593) on the Proposed Plan in relation to matters that are the subject of the appeal;
 - 2.2 It owns land in the Rural Coastal Zone that will be affected by the outcome of the appeal, legally described as:
 - (a) Lot 1-2 DP 185859;
 - (b) Lot 1 DP 81363 and Section 1 and Section 3, Block I, Kawau Survey District;
 - (c) Lot 8 DP 207879;
 - (d) Lot 1-2 DP 44611;
 - (e) Lot 3 DP 211743;
 - (f) Lot 1 and Lot 5 DP 183199;
 - (g) Lot 1 DP 334670;
 - (h) Lot 1 DP 168459; and
 - 2.3 The Independent Hearings Panel made recommendations in relation to the Rural Coastal Zone that were supported by **OMAHA PARK LIMITED** in its submissions on the Proposed Plan. The Auckland

Council subsequently rejected the recommendations of the Independent Hearings Panel.

3. **OMAHA PARK LIMITED** is not a trade competitor for the purposes of section 308C of the Act.
4. **OMAHA PARK LIMITED** is interested in the appeal in its entirety.
5. **OMAHA PARK LIMITED** agrees to participate in mediation and other alternative dispute resolution of the proceedings.

DATED the 7th day of October 2016



D F Serjeant
For Omaha Park Limited

THIS NOTICE OF INTENTION TO BE HEARD is filed by **DAVID FREDERICK SERJEANT** for Omaha Park Limited. The address for service of Omaha Park Limited is at the offices of Merestone Limited, 2 Summer Street, Stanley Point, Auckland 0624.

Documents for service on the interested party may be left at the address for service or may be:

1. Posted to 2 Summer Street, Stanley Point, Auckland 0624.
2. Emailed to dave@merestone.co.nz.

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

Better Living Landscapes

Kitt Littlejohn, Quay Chambers, PO Box 106 215, DX CP 18023, Auckland
littlejohn@quaychambers.co.nz

Fluker Surveyors Limited

Kitt Littlejohn, Quay Chambers, PO Box 106 215, DX CP 18023, Auckland
littlejohn@quaychambers.co.nz

Mason, David

Kitt Littlejohn, Quay Chambers, PO Box 106 215, DX CP 18023, Auckland
littlejohn@quaychambers.co.nz

Parallax Surveyors Limited

Kitt Littlejohn, Quay Chambers, PO Box 106 215, DX CP 18023, Auckland
littlejohn@quaychambers.co.nz

Sayes in Trust Limited

Kitt Littlejohn, Quay Chambers, PO Box 106 215, DX CP 18023, Auckland
littlejohn@quaychambers.co.nz

Auckland Council

Christian Brown, Private Bag 92300, Victoria Street, AUCKLAND, 1142,
christian.brown@aucklandcouncil.govt.nz

Mr Michael Wakefield, Auckland Council, Private Bag 92300, Auckland 1142,
mike.wakefield@aucklandcouncil.govt.nz