

**BEFORE THE ENVIRONMENT COURT**  
**AUCKLAND REGISTRY**

**ENV-2016-AKL-000234**

**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** **RADIATA PROPERTIES LIMITED**

Appellant

**AND**

**AUCKLAND COUNCIL**

Respondent

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

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**TO:** The Registrar  
Environment Court

**AUCKLAND**

**AND TO:** The Appellant

**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 Radiata Properties Limited 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 7<sup>th</sup> day of October 2016

A handwritten signature in blue ink, appearing to read 'D F Serjeant', written in a cursive style.

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**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](mailto:dave@merestone.co.nz).

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

**Radiata Properties Limited**

Brian Putt, Metro Planning Limited, PO Box 4013, Shortland Street, Auckland, [brian@metroplanning.co.nz](mailto:brian@metroplanning.co.nz)

**Auckland Council**

Christian Brown, Private Bag 92300, Victoria Street, AUCKLAND, 1142  
[christian.brown@aucklandcouncil.govt.nz](mailto:christian.brown@aucklandcouncil.govt.nz)

Mr Michael Wakefield, Auckland Council, Private Bag 92300, Auckland 1142,  
[mike.wakefield@aucklandcouncil.govt.nz](mailto:mike.wakefield@aucklandcouncil.govt.nz)