

BEFORE THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2016-AKL-000212

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

SMITHIES FAMILY TRUST

Appellant

AND

AUCKLAND COUNCIL

Respondent

**NOTICE OF WISH FOR TERRA NOVA PLANNING LIMITED TO BE
PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT**

**TO: The Registrar
Environment Court
Auckland**

1. Terra Nova Planning 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:

- *Smithies Family Trust v Auckland Council* – ENV-2016-AKL-000212.

2. Terra Nova Planning made submissions and further submissions about the subject matter of the appeal, and 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. Terra Nova Planning is not a trade competitor for the purposes of s308C of the Resource Management Act ("**RMA**").

4. Terra Nova Planning is interested in all aspects of the appeal.

5. Terra Nova Planning supports the relief sought in the appeal, on the following grounds:

(a) Terra Nova Planning made submissions to various parts of the Unitary Plan including what are now parts B9, E39 AND Appendix 15 dealing with the Rural Environment and Subdivision. Terra Nova Planning 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.

(b) The Hearing Panel's recommendations regarding rural subdivision that are sought to be reinstated under the appeal are supported by Terra Nova Planning as better achieving the purposes of RMA, and more appropriately (efficiently and effectively) achieving the objectives of the Unitary Plan in relation to rural land resources and subdivision, including for

incentivising restoration of degraded landscapes, and protection of resources of significant ecological value which are not (or not as yet) mapped as Significant Ecological Areas under the Unitary Plan.

- (c) Conversely, Terra Nova Planning opposes the decisions made by the Council at issue in the proceedings which were to reject aspects of the Hearing Panel's recommendations and include alternative provisions that would not have the same landscape, biodiversity and overall sustainable management benefits as the provisions recommended by the Hearings Panel.
 - (d) The relief sought in the appeal proceedings is therefore fully supported.
6. Terra Nova Planning agrees to participate in mediation regarding these proceedings.

Signature:

Terra Nova Planning Limited:



Shane Hartley - Director

Date:

7 October 2016

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