

Form 7

Notice of appeal to Environment Court against decision on proposed policy statement or plan or change or variation

Clause 14(1) of Schedule 1, Resource Management Act 1991

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

I, Mahnaz Afsari, appeal against a decision (or part of a decision) of Auckland City Council on the following policy statement (or plan or change or variation):

Decision following the hearing of Plan change 81 to the Auckland Unitary Plan under the Resource Management Act 1991- Lawry Settlement Workers' Housing Historic Heritage Area

I made a submission on that policy statement (or plan or change or variation).

I am not* a trade competitor for the purposes of section 308D of the Act.

*Select one.

*I am not† directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

*Omit paragraph if you are not a trade competitor.

†Select one.

I received notice of the decision on Friday 10th November

The decision was made by Auckland City Council.

The decision (or part of the decision) that I am appealing against is:

- I am appealing the decision to NOT include the Lawry Settlement Workers Housing Historic Heritage area. Please refer to the detailed submission letter further detailing my appeal

The reasons for the appeal are as follows:

Included in my detailed letter.

I seek the following relief: That the Lawry Settlement is included in the Historic Heritage Area in particular the area on the western side of Findlay St, southward down Ransgate St and then all of Hewson St between Ramsgate and Cawley.



I attach the following documents* to this notice:

- (a) a copy of my submission *or* further submission (with a copy of the submission opposed or supported by my further submission):
- (b) a copy of the relevant decision (*or* part of the decision):
- (c) any other documents necessary for an adequate understanding of the appeal



(d) a list of names and addresses of persons to be served with a copy of this notice.

- Auckland City Council
- Kristen Spooner spooner.kris@gmail.com
- Yariv Edery Yariv.edery@gmail.com
- John C Moffat claudemoffat@hotmail.com
- Christoher and Jenna Edwards christopherjamesedwards@gmail.com
- Stuart Ray stu@actionrefrigeration.co.nz
- Hyun Jin Hong miniandjini@gmail.com
- Jan Ray jan.actref@gmail.com.nz
- Andre Bourgeois andre.bourgeois@gmail.com
- Braden Longdell braden.longdell@gmail.com
- Madeline Gwenyth Banda mbandanz@gmail.com
- Martin Jeremy Boys marty_boys@hotmail.com
- Ellerslie Residents Association mbandanz@gmail.com
- Anita Naran anaran7@gmail.com
- Gabriella de Souza and Phillip de Souza gabrielled163@gmail.com
- Jodi Clouston jodiclouston@gmail.com
- David Allan Rogers gotodylan@gmail.com
- Kainga Ora- Homes and Communities

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

Date: 13/12/2023

Dr M Afsari



Signature of appellant:
(or person authorised to sign
on behalf of appellant)

Address for service of appellant:
16 Findlay St, Ellerslie,
Auckland

Telephone: 022 399 5831

Fax/email: mahnaz.afsari@middlemore.co.nz

Contact person: [*name and designation, if applicable*]

Note to appellant

Appeals other than in relation to freshwater planning instruments

You may appeal only if—

- you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and
- in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B) of the Act, may consider only the question of law raised.

Appeals in relation to freshwater planning instruments

You may appeal only if—

- you addressed in your submission or further submission the provision or matter that is the subject of your appeal; and
- the relevant regional council rejected a recommendation of the freshwater hearings panel and decided an alternative solution which resulted in—
 - (a) the provision or matter being included in the freshwater planning instrument; or

- (b) the provision or matter being excluded from the freshwater planning instrument.

If a regional council decides to reject a recommendation of the freshwater hearings panel that is outside the scope of submissions, you may appeal to the Environment Court in respect of that decision or the alternative solution proposed by the council if you made a submission.

Notes for all appeals

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Act.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

**How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not have attached a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

*Delete if these documents are attached to copies of the notice of appeal served on other persons.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Schedule 1 form 7: replaced, on 3 September 2020, by regulation 7(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2020 (LI 2020/180).