

BEFORE THE ENVIRONMENT COURT
AT AUCKLAND

ENV-2016-AKL- 000196

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

WEILI YANG, ZHI LI, and JING NIU

Appellant

AND

AUCKLAND COUNCIL

Respondent

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT**

TO: The Registrar
Environment Court
Auckland

1. The Long Bay – Okura Great Park Society and the Okura Environmental Group (comprising of Forest and Bird (North Shore) Inc., Long Bay Okura Great Parks Society Inc., East Coast Bays Coastal Protection Society Inc. (Friends of Okura Bush), Okura Residents and Ratepayers Association Inc., Keep Okura Green Inc., and Dacre Cottage Management Committee (“**the Organisations**”) wish 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:
 - *Weili Yang, Zhi Li and Jing Niu v Auckland Council – ENV-2016-AKL-000196*
2. The Organisations made submissions and further submissions about the subject matter of the appeal.
3. The Organisations are not a trade competitor for the purposes of s308C of the Resource Management Act (“**RMA**”).
4. The Organisations are interested in all aspects of the appeal.
5. The Organisations oppose the relief sought in the appeal, on the following grounds:
 - (a) The appeal seeks to reinstate recommendations of the Independent Hearing Panel (“**Hearing Panel**”) that heard submissions to the Unitary Plan, and in particular regarding:
 - (i) The location of the Rural Urban Boundary, which the Hearings Panel recommended be extended to include some 130 ha of land within the Okura catchment to the north of Vaughan’s Road;

- (ii) The application of an Okura Precinct to this area of land as sought by the appellant in its submissions, along with associated urban and future urban zonings.

("Hearing Panel's recommendations")

- (b) The respondent's decision to reject the Hearing Panel's recommendations is supported as representing the most appropriate way to promote the purpose of the RMA, and give effect to relevant objectives and policies of the Regional Policy Statement ("**RPS**") section of the Unitary Plan, including as to urban growth and compact urban form, transportation, and the protection of significant biodiversity and landscape resources.
- (c) The reasons the respondent gave in its decision to reject the Hearing Panel's recommendations are sound and supported by the Organisations, including that the Vaughan's Road ridgeline (as the catchment boundary) provides a more defensible and appropriate boundary within which to contain urban development.
- (d) The scale and intensity of development within the Okura catchment provided for under the Hearing Panel's recommendations would adversely affect the Long Bay – Okura Marine Reserve which provides habitat for a number of threatened and sensitive marine species, and is rated as an outstanding natural landscape ("**ONL**") and Significant Ecological Area - Level 1.
- (e) The scale and intensity of development within the Okura catchment provided for under the Hearing Panel's recommendations would also adversely affect the Long Bay Regional Park, and the Okura Bush Scenic Reserve (including those areas of each rated as ONL).
- (f) Extension of the Rural Urban Boundary and provision for an Okura Precinct as under the Hearing Panel's recommendations would therefore fail to give effect to policies

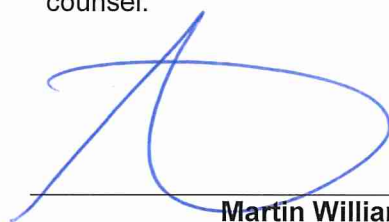
11, 13 and 15 of the New Zealand Coastal Policy Statement 2010, and be contrary to s6(a), (b) and (c) and s7 (c) and (f) of RMA.

- (g) The respondent's decision would maintain the level of development determined by the Environment Court in 2003 (i.e. through application of the Rural – Countryside Living Zone) which is more appropriate to promote the purpose of the RMA, achieve the objectives of the RPS, and give effect to NZCPS 2010.

6. The Organisations agree to participate in mediation regarding these proceedings.

Signature:

**The Long Bay – Okura Great Park Society
and Okura Environmental Group by their
counsel:**



Martin Williams

Date:

28

September 2016

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