

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000270

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 157 of the LGATPA

BETWEEN **TRAM LEASE LIMITED**

Appellant

AND

NEW ZEALAND TRANSPORT AGENCY

Respondent

**NOTICE OF PERSON'S WISH TO BE A PARTY TO PROCEEDINGS UNDER
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

11 JANUARY 2017

M G Wakefield
Auckland Council
Private Bag 92300, Victoria Street
AUCKLAND 1142

TO: The Registrar
Environment Court
PO Box 7147
Wellesley Street
AUCKLAND

1. **Auckland Council** wishes to be joined as a party under section 274 of the RMA in relation to the appeal lodged by Tram Lease Limited under section 157 of the LGATPA against the decision of the New Zealand Transport Agency on a designation included in the Auckland Unitary Plan, namely, Designation 6727: State Highway 1 – Newmarket Viaduct Height Restriction (**Designation 6727**).
2. **Auckland Council** claims status to be heard on the appeal as the relevant local authority.
3. **Auckland Council** is not a trade competitor for the purposes of sections 308C or 308CA of the RMA.
4. **Auckland Council** is interested in the appeal as it relates to the inclusion of Designation 6727 in the Auckland Unitary Plan, which is intended to provide protection for the Newmarket Viaduct.
5. **Auckland Council** supports the relief sought insofar as that relief seeks to amend Designation 6727 to improve the certainty and workability of the conditions and advice notes associated with Designation 6727.
6. **Auckland Council** agrees to participate in mediation or other alternative dispute resolution of the proceedings.
7. A copy of this notice has been served on the parties to the appeal.

DATED 11 January 2017



M Wakefield
Counsel for Auckland Council

THIS NOTICE is filed by **MICHAEL GREGORY WAKEFIELD**, solicitor for Auckland Council. The address for service of the appellant is at the offices of Auckland Council, Level 11, 135 Albert Street, Auckland.

Documents for service on Auckland Council may be delivered to the address for service or:

1. Posted to the solicitor at Private Bag 92300, Auckland 1142;
2. Emailed to the solicitor at mike.wakefield@aucklandcouncil.govt.nz; or
3. Transmitted to the solicitor by facsimile to 09 890 7723.

Names of persons to be served with a copy of this notice:

1. The Appellant
2. The Respondent

Advice:

If you have any questions about this notice, contact the Environment Court in Auckland at: Specialist Courts and Tribunals Centre, Level 2, 41 Federal Street (Corner Wyndham Street), Auckland 1010.