

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000192**

**UNDER THE** Resource Management Act 1991 ("**RMA**") and the  
Local Government (Auckland Transitional  
Provisions) Act 2010 ("**LGATPA**")

**IN THE MATTER** of an appeal under section 156(1) of the LGATPA

**AND**

**IN THE MATTER** of section 274 of the RMA

**AND**

**IN THE MATTER** of hearing Topic 043 / 044 - Transport ("**Topic 043  
/ 044**") of the Proposed Auckland Unitary Plan

**BETWEEN** **KIWI PROPERTY GROUP LIMITED and KIWI  
PROPERTY HOLDINGS LIMITED**

Appellants

**AND** **AUCKLAND COUNCIL**

Respondent

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**NOTICE OF BUNNINGS LIMITED'S WISH TO BE PARTY TO PROCEEDINGS**

**3 OCTOBER 2016**

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**RUSSELL McVEAGH**

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**To:** the Registrar of the Environment Court at Auckland

**And to:** the Appellant

**And to:** Auckland Council

**BUNNINGS LIMITED ("Bunnings")** wishes to be a party to an appeal by Kiwi Property Group and Kiwi Property Group Holdings Limited ("**Appellants**") against part of a decision by Auckland Council ("**Council**") to reject a recommendation by the Independent Hearings Panel ("**Panel**") in relation to the Proposed Auckland Unitary Plan ("**Unitary Plan**").

#### **Nature of interest**

1. Bunnings is the leading retailer of home improvement and outdoor living products in Australasia. Bunnings operates ten warehouses, two smaller format stores, and two trade centres in the Auckland Region and is undertaking further retail development.
2. Bunnings was a submitter on Topic 043 / 044 and was a member of the "Key Retailers Group". The Key Retailers Group presented evidence at the Topic 043 / 044 hearings on behalf of Bunnings and the other members of that group.
3. Bunnings is not a trade competitor for the purposes of section 308C of the RMA.

#### **Extent of interest and reasons**

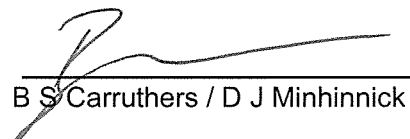
4. Bunnings is interested in the entirety of the proceedings and supports the Appellants' appeal for the following reasons:
  - (a) the removal of minimum parking rates does not promote the purpose of the RMA;
  - (b) the removal of minimum parking rates does not represent the most appropriate means of exercising the Council's function regarding the efficiency and effectiveness of other available means, and is therefore not appropriate in terms of section 32 of the RMA; and
  - (c) the Council's decision to reject the recommendation by the Panel was based on a theoretical assessment and there is no practical basis for removing minimum parking rates.

#### **Relief sought**

5. Bunnings supports the relief sought by the Appellants and in particular, seeks that:
  - (a) the minimum parking rates for retail and commercial services in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones recommended by the Panel be included in the Unitary Plan; and
  - (b) any consequential relief which may be required as a result of allowing all or any aspects of the appeal.

**BUNNINGS LIMITED** by its solicitors and  
authorised agents Russell McVeagh:

**Signature:**



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B S Carruthers / D J Minhinnick

**Date:**

3 October 2016

**Address for Service:**

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**Advice**

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