

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000243

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

A N D

IN THE MATTER of an appeal under section 156 of the **LGATPA** against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel ("**Hearings Panel**") on the proposed Auckland Combined Plan ("**Unitary Plan**")

BETWEEN **K Vernon**

Appellant

A N D **Auckland Council**

Respondent

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS UNDER
SECTION 274 OF RMA**

LAURENT ENTERPRISES LIMITED

**Re: Topic 050–054 City Centre and Business Zones (height in relation to
boundary in Mixed Use zone)**

Dated this 5th day of October 2016

**ELLIS GOULD
LAWYERS
AUCKLAND**

**Level 17 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172 / Fax: 09 358 5215
PO Box 1509
DX CP22003
AUCKLAND**

REF: Douglas Allan

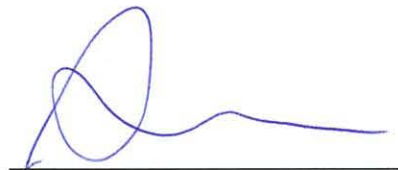
**Notice of wish to be party to proceedings under section 274 RMA by Laurent
Enterprises Limited**

1. Laurent Enterprises Limited ("**the Company**") wishes to be a party to that part of the Notice of Appeal ENV-2016-AKL-000243 dated 15 September 2016 by K Vernon to the Environment Court ("**the Appeal**") against the decision of the Auckland Council on the Auckland Combined (Unitary) Plan ("**the Unitary Plan**") that concerns Topics 050-054 – City Centre and Business Zones and in particular the Unitary Plan height in relation to boundary control in the Mixed Use zone, being paragraphs 1 to 6, 26 to 35, 44, 45 and 112 of the Appeal.
2. The Company has an interest in the proceedings that is greater than that of the general public in that:
 - (a) The Company owns Mixed Use zoned land in Newmarket that it wishes to develop in accordance with the zoning.
 - (b) The changes sought in the Appeal with regard to the Unitary Plan height in relation to boundary control in the Mixed Use zone will significantly alter the ability of the Company to develop its landholdings and will reduce the flexibility available with respect to that zone.
3. The Company is the successor to St Marks Womans Health (submitter 7237 to the Unitary Plan) which made submissions regarding the subject matter of the proceedings in that it lodged submissions on the Unitary Plan that, amongst other relief, generally supported intensification within the Mixed Use zone. The effect of the Appeal is contrary to the relief sought in those submissions because it involves a reduction in the intensity of development anticipated in the Mixed Use zone.
4. The Company is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. The Company is interested in and opposes all aspects of the Appeal relief relating to the Unitary Plan height in relation to boundary control in the Mixed Use zone. The Company seeks retention of the Council's decision regarding the Unitary Plan height in relation to boundary control in the Mixed Use zone.
6. The Council's decision is appropriate in terms of section 32 of the RMA and is consistent with the purpose, principles and provisions of the RMA. Amending the Unitary Plan as sought in the Appeal is unnecessary and counter-productive, will

compromise the sustainable management of resources and is contrary to the Council's strategy for accommodating growth and for intensifying development in Auckland.

7. The Company agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Signed for and on behalf of Laurent Enterprises Limited
by its solicitors and duly authorised agents Ellis Gould:**



D A Allan

Date: this 5th day of October 2016

Address for Service of Section 274 Party: The offices of **Ellis Gould, Solicitors**, Level 17, The Vero Centre, 48 Shortland Street, Auckland (PO Box 1509, Auckland, 1140), DX CP22003, Phone: 09 307-2172, Facsimile, 09 358-5215. **Attention: D A Allan**, Email: dallan@ellisgould.co.nz