

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000214

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 **Todd Property Group Limited**

Appellant

A N D **Auckland Council**

Respondent

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

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED

Re: Topic 013 – Urban Growth

Dated this *3rd* day of *October* 2016

**ELLIS GOULD
LAWYERS
AUCKLAND**

REF: Douglas Allan

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

**Notice of wish to be party to proceedings under section 274 RMA by The National
Trading Company of New Zealand Limited**

1. The National Trading Company of New Zealand Limited (“**NTC**”) wishes to be a party to Notice of Appeal ENV-2016-AKL-000214 dated 16 September 2016 by Todd Property Group Limited to the Environment Court (“**the Appeal**”) against the decision of the Auckland Council on the Auckland Combined (Unitary) Plan (“**the Unitary Plan**”) concerning Topic 013 – Urban Growth.
2. NTC has an interest in the proceedings that is greater than that of the general public in that:
 - (a) NTC owns and manages land throughout the Auckland Region subject to a range of centre and other zones that is variously occupied by existing developments or is intended to be developed or redeveloped to accommodate additional or enlarged supermarkets in accordance with the underlying zonings.
 - (b) The changes sought in the Appeal will alter the policy framework applying to the Business zones in the Unitary Plan and as a consequence could have strategically important implications for NTC.
3. NTC made submissions about the subject matter of the proceedings and was involved in extensive mediations and hearings relating to the provisions affected by the Appeal. NTC considers that 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.
4. NTC is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. NTC is interested in all aspects of the Appeal relief. NTC seeks retention of the Council's decision regarding the provisions subject to the Appeal but is prepared to consider alternative forms of relief provided they do not compromise the strategic vision embodied in the Unitary Plan.
6. NTC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of The National Trading Company of New Zealand Limited
by its solicitors and duly authorised agents Ellis Gould:



D A Allan

Date: this 3rd 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