

**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

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

**THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED**

**Re: Topic 012 – RPS Infrastructure (Transport); Topic 013 - RPS Urban Growth; and Topic 043/044 - Transport**

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

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**ELLIS GOULD  
LAWYERS  
AUCKLAND**

**REF: Douglas Allan**

**Level 17 Vero Centre  
48 Shortland Street, Auckland  
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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 those parts 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 concern:
  - (a) Topic 012 – RPS Transport;
  - (b) Topic 013 – RPS Urban Growth; and
  - (c) Topic 043/044 – Transport;being paragraphs 1 to 6, 12 to 17, 23 to 25 and 112 of the Appeal.
2. NTC has an interest in the proceedings that is greater than that of the general public in that:
  - (a) It owns and manages land throughout the Auckland Region subject to a range of centre and other zones that is variously occupied by existing supermarket 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 impact directly on strategic and practical decisions by NTC in relation to development pursuant to the Unitary Plan.
3. NTC made extensive and detailed submissions about the subject matter of the proceedings. The Appeal seeks relief that is directly relevant to the relief sought in NTC's submissions.
4. NTC has lodged an appeal with the Environment Court regarding carparking rules addressed in Topics 043/044.
5. NTC is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
6. NTC is interested in and opposes all aspects of the Appeal relief relating to Topics 012 and 013 but supports the relief regarding Topic 043/044 to

the extent it is consistent with the relief sought by NTC in its own appeal relating to Topics 043/044.

7. The relief sought by NTC is appropriate in terms of section 32 of the RMA and is consistent with the purpose, principles and provisions of the RMA.
8. 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:**



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**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](mailto:dallan@ellisgould.co.nz)