

In the Environment Court at Auckland

ENV-2016-AKL-232

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 156(3) of the Local Government (Auckland Transitional Provisions) Act 2010

And

In the matter of Propose Plan Hearing Topic 081 – Rezoning and Precincts (Geographic areas)

Between **Bunnings Ltd**
Appellant

And **Auckland Council**
Respondent

Notice by Hugh Green Ltd of wish to be a party to appeal

Dated 30th September 2016

Daniel Overton & Goulding

Solicitor Acting: **David Gray**

T: (09) 622 2222 F: (09) 622 2555 P O Box 13017 Onehunga

Counsel Acting: **Matthew Casey QC / Asher Davidson**

T: (09) 337 0700 F: (09) 337 0800 E: asher@casey.co.nz P O Box 317 Auckland

To: The Registrar
Environment Court
Auckland

1. Hugh Green Ltd (**HGL**) wishes to be a party to this appeal by Bunnings Ltd.
2. The appeal concerns the Council's decision to include, in the Proposed Auckland Unitary Plan (**Unitary Plan**), a version of the Redhills Precinct Plan which the appellant claims is beyond the scope of submissions, and by which it says it is unduly prejudiced.
3. HGL is a person who made a submission on the proposal, namely a submission seeking the inclusion of a Redhills Precinct Plan in the Unitary Plan.
4. HGL is also a person who has an interest in the proceedings that is greater than that of the general public, because HGL owns land affected by the Redhills Precinct.
5. HGL is not a trade competitor for the purposes of s 308C of the Resource Management Act 1991 (**RMA**).
6. HGL opposes the relief sought. The reasons for its position include, but are not limited to:
 - (a) The relief sought does not promote the sustainable management of natural and physical resources in accordance with s 5 of the RMA.
 - (b) The relief sought does not enable the community to provide for its social and economic wellbeing in accordance with s 5(2) of the RMA.
 - (c) The relief sought does not provide for the efficient use and development of natural and physical resources in accordance with s 7(b) of the RMA.
 - (d) The relief sought does not appropriately have regard to the actual and potential effects of development on the environment.
7. Subject to paragraph 8 below, HGL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

