

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I MUA TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

ENV-2024-AKL-000137

UNDER the Resource Management Act 1991 ("**the Act**")

IN THE MATTER of an appeal under s 174 of the Act against Auckland
Transport's decision to accept a recommendation that NoR
W5 be confirmed subject to conditions

BETWEEN **VISCOUNT INVESTMENT CORPORATION LIMITED**
Appellant

AND **AUCKLAND TRANSPORT**
Respondent

**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A
PARTY TO PROCEEDINGS**

2 AUGUST 2024

**ELLIS GOULD
LAWYERS
AUCKLAND**

**REF: Daniel Sadler (dsadler@ellisgould.co.nz)
Alex Devine (adevine@ellisgould.co.nz)**

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AUCKLAND**

**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A
PARTY TO PROCEEDINGS**

TO: The Registrar
Environment Court
Auckland

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED (“NTC”) gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal ENV-2024-AKL-000137 (“**Appeal**”) by Viscount Investment Corporation Limited (“**Viscount**”) against the decision of Auckland Transport to confirm Notice of Requirement W5: Hobsonville Road (“**NoR W5**”).

1. NTC made a submission about the subject matter of the proceedings.
2. NTC also has an interest in the proceeding that is greater than the interest the general public has because:
 - (a) It has also appealed¹ against the same or similar NoR W5 conditions that are the subject of the Appeal and therefore has a direct interest in the relief sought.
 - (b) As an appellant and owner of the neighbouring site (120 Hobsonville Road), NTC has the potential to be directly affected by amendments to the NoR W5 conditions or designation extent arising from the Appeal.
3. NTC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991. In any event, NTC is directly affected by an effect of the subject of the Appeal that:
 - (a) Adversely affects the environment; and
 - (b) Does not relate to trade competition or the effects of trade competition.

¹ ENV-2024-AKL-000152

4. NTC is interested in all the proceedings. NTC is particularly interested in the aspects of the Appeal which concern the way in which the designation addresses site specific issues, including those raised by the interface of the designation with sites zoned Business – Local Centre, as well as the aspects of the Appeal relating to the Hobsonville Road / Sinton Road intersection.
5. NTC generally supports the relief sought by Viscount (to the extent it is consistent with the relief sought by NTC’s appeal and does not compromise NTC’s interests) for the reasons set out in the Appeal.
6. NTC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 2nd day of August 2024

THE NATIONAL TRADING COMPANY OF NEW ZEALAND by its solicitors and duly authorised agents Ellis Gould



Daniel Sadlier / Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: 09 306 1075. **Attention:** Daniel Sadlier (dsadlier@ellisgould.co.nz) and Alex Devine (adevine@ellisgould.co.nz).

Copy to: Auckland Transport

And: The Appellant

Advice

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