

**IN THE ENVIRONMENT COURT
AUCKLAND**

ENV-2016-AKL-000155

UNDER the Local Government Act (Auckland Transitional Provisions) Act 2010 ("**LGATPA**") of the Resource Management Act 1991 ("**RMA**")

IN THE MATTER of an appeal under section 156(3) of the LGATPA

AND

IN THE MATTER of section 274 of the RMA

AND

IN THE MATTER of Proposed Plan Hearing Topic 081 – Rezoning and Precincts (Geographic Areas)

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

Appellant

AND **AUCKLAND COUNCIL**

Respondent

NOTICE BY BUNNINGS LIMITED OF WISH TO BE PARTY TO PROCEEDINGS

3 NOVEMBER 2017

**Russell
McLeagh**

D J Minhinnick / L J Eaton
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

To: the Registrar of the Environment Court at Auckland

And to: Appellant

And to: Respondent

BUNNINGS LIMITED ("**Bunnings**") wishes to be party to an appeal brought by The National Trading Company of New Zealand Limited ("**Appeal**") in relation to Auckland Council's decision to accept the Independent Hearing Panel's recommendation in relation to the Redhills Precinct Plan ("**Precinct Plan**") in the Proposed Auckland Unitary Plan ("**Unitary Plan**").

Nature of interest

1. Bunnings is a person who has an interest in these proceedings that is greater than the interest of the general public, for a number of reasons, including:
 - (a) Bunnings made a submission and further submission on the notified Unitary Plan.
 - (b) Bunnings has filed an appeal in relation to the Precinct Plan that seeks similar relief to the Appeal.
 - (c) Bunnings owns 2.8 ha of land at 21 Fred Taylor Drive, on the corner of Fred Taylor Drive and Te Oranui Way ("**Site**"). Bunnings has consent for a new Bunnings Warehouse on the Site, with primary customer access being provided from Te Oranui Way.
 - (d) Te Oranui Way is one of the four existing arms of the roundabout intersection of Fred Taylor Drive and Don Buck Road ("**Roundabout**"). The Precinct Plan included an arterial road connecting to the Roundabout, which will necessitate the closure of Te Oranui Way or, at the very least, a reduction in available movements to and/or from Te Oranui Way.
 - (e) Any reduction in accessibility to or from Te Oranui Way would have significant impacts on Bunnings and its consented operations.
2. Bunnings is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Extent of interest and reasons

3. Bunnings is interested in the entirety of the Appeal and supports the Appeal because it will:
- (a) achieve the sustainable management of natural and physical resources and will otherwise be consistent with the purpose and principles of the RMA;
 - (b) enable people and communities to provide for their social, economic and cultural wellbeing; and
 - (c) provide for the efficient use and management of natural and physical resources.

Relief sought

4. Bunnings seeks that the relief sought in the Appeal be granted.
5. Bunnings agrees to participate in mediation or other alternative dispute resolution of the proceedings.

BUNNINGS LIMITED by its solicitors and authorised agents Russell McVeagh:



Signature: D J Minhinnick / L J Eaton

Date: 3 November 2017

Address for Service: C/- L J Eaton
 Russell McVeagh
 Barristers and Solicitors
 Level 30
 Vero Centre
 48 Shortland Street
 PO Box 8/DX CX10085
AUCKLAND 1140

Telephone: +64 9 367 8000

Facsimile: +64 9 367 8163

Advice

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