

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2017-AKL-156

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 by **THE C N BARBOUR FAMILY TRUST** ("**CNBFT**") under section 156(3) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the proposed Auckland Unitary Plan

BETWEEN **THE C N BARBOUR FAMILY TRUST**

Applicant

AND **AUCKLAND COUNCIL**

Respondent

**NOTICE BY STEVEN AND SOFIA NUICH AS TRUSTEES OF THE STEVEN
AND SOFIA NUICH FAMILY TRUST OF WISH TO BE PARTY TO AN APPEAL**

31 October 2017

Solicitors:

S J Simons
Berry Simons
Level 1, Old South British Building
3-13 Shortland Street
PO Box 3144
Auckland 1140
Phone (09) 969 2300
Fax (09) 969 2304
sue@berrysimons.co.nz

To: The Registrar
Environment Court
Auckland

SUBMITTER: THE STEVEN AND SOFIA NUICH AS TRUSTEES OF THE NUICH FAMILY TRUST

1. Pursuant to section 274 of the RMA, The Steven and Sofia Nuich Family Trust ("**Nuich**") hereby gives notice of its wish to be party to an appeal by CNBFT against a decision of Auckland Council ("**the Council**") on the Auckland combined plan, now the Auckland Unitary Plan: Operative in Part, ENV-2017-AKL-156.
2. The appeal concerns the Council's acceptance of the Independent Hearing Panel's recommendation that it approve I610.10.1. Redhills Precinct: Precinct plan 1 ("**Redhills Precinct**") on 27 July 2016, and in particular the alteration of certain key transport routes through the Precinct and the amendment of their classification from collector to arterial.
3. Nuich is not a trade competitor for the purposes of section 308C of the RMA.
4. Nuich made submissions and further submissions on the proposal, namely submissions and further submissions seeking the inclusion of a Precinct Plan for the area now known as the Redhills Precinct in the Unitary Plan.
5. Nuich has an interest in the proceedings that is greater than the interest the general public has, because UHL owns lands affected by the Redhills Precinct. These lands are as follows:
 - (a) Section 4 SO 443144 (132 – 136 Fred Taylor Drive, Whenuapai);
 - (b) Pt Lot 1 DP 45675 (138 Fred Taylor Drive, Whenuapai); and
 - (c) Lot 1 DP 136111 (140 Fred Taylor Drive, Whenuapai).
6. Nuich takes a neutral stance on the relief sought.

Dated at Auckland the 31st day of October 2017.

The Steven and Sofia Nuich Family Trust by their solicitors and duly authorised agents **BERRY SIMONS**:



S J Simons

ADDRESS FOR SERVICE OF THE STEVEN AND SOFIA NUICH FAMILY TRUST

Berry Simons
PO Box 3144
Shortland Street
AUCKLAND 1140

Telephone: (09) 969 2300

Facsimile: (09) 969 2304

Email: sue@berrysimons.co.nz

Contact person: Sue Simons, Partner

