

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2016-AKL-000192

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

IN THE MATTER of an appeal under section 156(1) of the LGATPA

AND

IN THE MATTER of section 274 of the RMA

AND

IN THE MATTER of hearing Topic 043 / 044 - Transport ("**Topic 043
/ 044**") of the Proposed Auckland Unitary Plan

BETWEEN **KIWI PROPERTY GROUP LIMITED and KIWI
PROPERTY HOLDINGS LIMITED**

Appellants

AND **AUCKLAND COUNCIL**

Respondent

NOTICE OF BUNNINGS LIMITED'S WISH TO BE PARTY TO PROCEEDINGS

3 OCTOBER 2016

RUSSELL McVEAGH

B S Carruthers | D J Minhinnick
Phone +64 9 367 8000
Fax +64 9 367 8163
PO Box 8
DX CX10085
Auckland 1140

To: the Registrar of the Environment Court at Auckland

And to: the Appellant

And to: Auckland Council

BUNNINGS LIMITED ("Bunnings") wishes to be a party to an appeal by Kiwi Property Group and Kiwi Property Group Holdings Limited ("**Appellants**") against part of a decision by Auckland Council ("**Council**") to reject a recommendation by the Independent Hearings Panel ("**Panel**") in relation to the Proposed Auckland Unitary Plan ("**Unitary Plan**").

Nature of interest

1. Bunnings is the leading retailer of home improvement and outdoor living products in Australasia. Bunnings operates ten warehouses, two smaller format stores, and two trade centres in the Auckland Region and is undertaking further retail development.
2. Bunnings was a submitter on Topic 043 / 044 and was a member of the "Key Retailers Group". The Key Retailers Group presented evidence at the Topic 043 / 044 hearings on behalf of Bunnings and the other members of that group.
3. Bunnings is not a trade competitor for the purposes of section 308C of the RMA.

Extent of interest and reasons

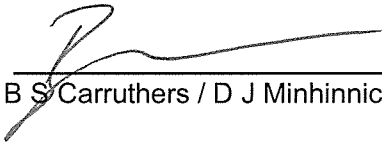
4. Bunnings is interested in the entirety of the proceedings and supports the Appellants' appeal for the following reasons:
 - (a) the removal of minimum parking rates does not promote the purpose of the RMA;
 - (b) the removal of minimum parking rates does not represent the most appropriate means of exercising the Council's function regarding the efficiency and effectiveness of other available means, and is therefore not appropriate in terms of section 32 of the RMA; and
 - (c) the Council's decision to reject the recommendation by the Panel was based on a theoretical assessment and there is no practical basis for removing minimum parking rates.

Relief sought

5. Bunnings supports the relief sought by the Appellants and in particular, seeks that:
 - (a) the minimum parking rates for retail and commercial services in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones recommended by the Panel be included in the Unitary Plan; and
 - (b) any consequential relief which may be required as a result of allowing all or any aspects of the appeal.

BUNNINGS LIMITED by its solicitors and
authorised agents Russell McVeagh:

Signature:


B S Carruthers / D J Minhinnick

Date:

3 October 2016

Address for Service:

C/- D J Minhinnick
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.