

IN THE ENVIRONMENT COURT

ENV-2016-AKL-000224

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 of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel (**Hearings Panel**) on the proposed Auckland Unitary Plan (**the Unitary Plan**)

BETWEEN **SOUTH EPSOM PLANNING GROUP INCORPORATED**
and
THREE KINGS UNITED GROUP INCORPORATED

Appellants

AND

AUCKLAND COUNCIL

Respondent

NOTICE OF FLETCHER RESIDENTIAL LIMITED'S WISH TO BE PARTY TO PROCEEDINGS UNDER SECTION 274

To: The Registrar
Environment Court
Auckland


1. Fletcher Residential Limited (**Fletcher**) wishes to be a party to the following proceedings:

ENV-2016-AKL-000224: An appeal by South Epsom Planning Group Incorporated and Three Kings United Group Incorporated against a decision of the Auckland Council (**Council**) to adopt the Hearings

Panel's recommendation and to include the Three Kings Precinct in the decisions version of the Unitary Plan.

2. Fletcher has an interest in the proceedings that is greater than the interest that the general public has because it owns part of the site at Three Kings that the Unitary Plan provisions relate to. Fletcher purchased the site in July 2015. Prior to July 2015, Fletcher Construction Developments (**FCD**) made a submission on the Unitary Plan and provided evidence in relation to the Three Kings Precinct, which is the subject of these proceedings. Fletcher is a successor to FCD and is therefore an interested party in relation to any appeals relating to the Three Kings Precinct.
3. Fletcher is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Fletcher is interested in the appeal in its entirety, including all of the issues raised by the appeal.
5. Fletcher opposes the relief sought because it does not consider that the Hearings Panel's recommendations on the following provisions of the Three Kings Precinct were out of scope:
 - (a) Maximum building height;
 - (b) Excavation and quarrying of Council owned land;
 - (c) Location of buildings on Fletcher and Council land (building footprints).
6. Fletcher agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Auckland this 5th day of October 2016



W S Loutit
Counsel for Fletcher Residential Limited

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