

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000201**

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

**A N D**

**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 Combined Plan ("**Unitary Plan**")

**BETWEEN** **Progressive Enterprises Limited**

Appellant

**A N D** **Auckland Council**

Respondent

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**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS UNDER  
SECTION 274 OF RMA**

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

**Re: Topic 043/044 – Transport – Carparking in Business Zones**

Dated this *3<sup>rd</sup>* day of *October* 2016

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**ELLIS GOULD  
LAWYERS  
AUCKLAND**

**REF: Douglas Allan**

**Level 17 Vero Centre  
48 Shortland Street, Auckland  
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DX CP22003  
AUCKLAND**

**Notice of wish to be party to proceedings under section 274 RMA by Kiwi Property  
Group Limited and Kiwi Property Holdings Limited**

1. Kiwi Property Group Limited and Kiwi Property Holdings Limited ("**Kiwi**") wish to be parties to Notice of Appeal ENV-2016-AKL-000201 dated 15 September 2016 by Progressive Enterprises Limited to the Environment Court ("**the Appeal**") against the decision of the Auckland Council on the Auckland Combined (Unitary) Plan ("**the Unitary Plan**") concerning Topic 043/044 – Transport – Carparking in Business Zones.
2. Kiwi has an interest in the proceedings that is greater than that of the general public in that:
  - (a) It owns and manages land throughout the Auckland Region subject to a range of centre and other zones that is variously occupied by existing developments or is intended to be developed or redeveloped in accordance with the underlying zonings.
  - (b) Kiwi's management of its landholdings and developments will be directly and positively affected by the relief sought in the Appeal.
3. Kiwi made submissions about the subject matter of the proceedings and has also lodged Notice of Appeal ENV-2016-AKL-000192 dated 12 September 2016 which seeks similar relief to that sought in the Appeal.
4. Kiwi is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. Kiwi is interested in and supports all aspects of the Appeal relief, which is appropriate in terms of section 32 of the RMA and consistent with the purpose, principles and provisions of the RMA.
6. Kiwi agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Kiwi Property Group Limited and  
Kiwi Property Holdings Limited by  
their solicitors and duly authorised agents Ellis Gould:



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D A Allan

Date: this 3rd day of October 2016

**Address for Service of Section 274 Party:** The offices of **Ellis Gould, Solicitors**, Level 17, The Vero Centre, 48 Shortland Street, Auckland (PO Box 1509, Auckland, 1140), DX CP22003, Phone: 09 307-2172, Facsimile, 09 358-5215. **Attention: D A Allan**, Email: [dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)