

In the Environment Court of New Zealand
at Auckland

ENV-2016-AKL-000222

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(1) 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 (*Proposed Plan*)

and:

in the matter of: Proposed Plan Hearing Topics 006 RPS Natural Resources and 035 Air Quality

between: **New Zealand Starch Limited**
Appellant

and: **Auckland Council**
Respondent

Notice of New Zealand Steel Limited's wish to be party to proceedings

Dated: 6 October 2016

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To The Registrar
Environment Court
Auckland

Introduction

1 New Zealand Steel Limited (*NZ Steel*) wishes to be a party to the following proceedings:

ENV-2016-AKL-000222 *New Zealand Starch Limited v Auckland Council*.

- 2 NZ Steel is a person who made a submission and further submissions on the subject matter of the proceedings (submission #868, and further submission #2368).
- 3 NZ Steel is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.
- 4 NZ Steel is interested in all aspects of the proceedings.
- 5 In particular, NZ Steel is interested in the relief sought in paragraph 22(a) of the notice of appeal, being to reinstate in full the Panel's recommendations on Hearings Topic 006 and Hearings Topic 035 by deleting all references to the Auckland Ambient Air Quality Standards (AAAQS) from the Proposed Plan.
- 6 NZ Steel has also lodged a notice of appeal against Auckland Council's decision in respect of Hearings Topics 006 and 035 of the Proposed Plan, seeking similar relief to that sought by the Appellant at paragraph 22(a) of the Appellant's notice of appeal.¹
- 7 NZ Steel supports the relief sought at paragraph 22(a) of the Appellant's notice of appeal for the following reasons:
- 7.1 NZ Steel considers that Auckland Council's decision to reject the Hearings Panel's recommendations to delete all references to the AAAQS from the Proposed Plan does not accord with the relevant requirements of the RMA, and is contrary to Part 2 of the RMA. In particular, Auckland Council's decision:
- (a) Does not promote the sustainable management of natural and physical resources;
 - (b) Does not promote the efficient use and development of natural and physical resources;
 - (c) Does not result in the most appropriate plan provisions in terms of section 32 of the RMA; and

¹ ENV-2016-AKL-000233 *New Zealand Steel Limited v Auckland Council*, notice of appeal dated 16 September 2016.

(d) Is contrary to good resource management practice.

7.2 The specific reasons listed in paragraph 11.2 of NZ Steel's notice of appeal on the Proposed Plan.

8 NZ Steel agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of New Zealand Steel Limited by its solicitors and authorised agents Chapman Tripp



Catherine Somerville-Frost
Partner
6 October 2016

Address for service of person wishing to be a party:

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Advice

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