

IN THE ENVIRONMENT COURT
AUCKLAND

ENV-2024-AKL-000202

I MUA I TE KOOTI TAIAO O AOTEAROA
I TE TĀMAKI MAKĀURAU ROHE

IN THE MATTER of the Resource Management Act 1991 ("RMA")

AND

IN THE MATTER of an appeal under clause 14 of schedule 1 of the Act

BETWEEN NEILSTON HOMES LIMITED

Appellant

AND AUCKLAND COUNCIL

Respondent

NOTICE OF PORT OF AUCKLAND LIMITED'S
INTENTION TO BE A PARTY TO PROCEEDINGS

11 OCTOBER 2024

Russell
McAugh

D J Minhinnick | A H Wouters
P +64 9 367 8000
F +64 9 367 8162
PO Box 8
DX CX10085
Auckland

TO: The Registrar of the Environment Court at Auckland

PORT OF AUCKLAND LIMITED ("POAL") wishes to be a party to an appeal by Neilston Homes Limited ("**Neilston**") against parts of the decisions the Auckland Council ("**Council**") on proposed Plan Change 79: Amendments to Transport Provisions ("**PC79**").

Nature of interest

1. POAL made a further submission on PC79.
2. POAL also has an interest in PC79 that is greater than the interest of the general public has because POAL owns land and assets within the Auckland region that are affected by PC79, which includes specific provisions for accessible parking requirements for POAL's activities.
3. POAL is not a trade competitor for the purposes of section 308C, 308CA or 308D of the RMA.

Extent of interest

4. POAL is interested in all the proceedings, but in particular Standard E27.6.3.2(A), which outlines the manner in which requirements for Accessible parking is to be provided on-site, and Chapter M, Appendix 23 which outlines parking demand guidelines to calculate the number of required accessible car parking spaces.
5. POAL is neutral in relation to the outcome of Neilston's appeal, except insofar as to ensure that the provisions continue to exclude any requirement for a minimum number of accessible car parking spaces to be provided for POAL's activities.

Relief sought

6. POAL seeks to ensure that the provisions of PC79 continue to exclude any requirement for a minimum number of accessible car parking spaces to be provided for POAL's activities.

Alternative dispute resolution

7. POAL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

PORT OF AUCKLAND LIMITED by its solicitors
and authorised agents Russell McVeagh:



Signature: D J Minhinnick / A H Wouters

Date: 11 October 2024

Address for Service: C/- Alana Wouters
Russell McVeagh
Barristers and Solicitors
48 Shortland Street
Vero Centre
PO Box 8/DX CX10085
AUCKLAND

Telephone: (09) 367 8721

Email: alana.wouters@russellmcveagh.com

TO: The Registrar of the Environment Court at Auckland.

AND TO: The Appellant.

AND TO: The Respondent.