

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
AUCKLAND REGISTRY**

**I MUA TE KŌTI TAIAO O AOTEAROA  
TĀMAKI MAKĀURAU ROHE**

**ENV-2024-AKL- 000139**

**UNDER** the Resource Management Act 1991 ("**the Act**")

**IN THE MATTER** of an appeal under section 174 of the Act against a decision on a Notice of Requirement that comprises part of the North West Project

**BETWEEN** **BARRY BORIC FAMILY TRUST & MILENKO BORIC FAMILY TRUST**  
Appellant

**AND** **WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY**  
Respondent

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**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A  
PARTY TO PROCEEDINGS**

2 AUGUST 2024

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**ELLIS GOULD  
LAWYERS  
AUCKLAND**

**REF: Daniel Sadler (dsadler@ellisgould.co.nz)  
Alex Devine (adevine@ellisgould.co.nz)**

**Level 31 Vero Centre  
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AUCKLAND**

**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A  
PARTY TO PROCEEDINGS**

TO: The Registrar  
Environment Court  
**Auckland**

**THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED (“NTC”)** gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal ENV-2024-AKL- 000139 (“**Appeal**”) by Barry Boric Family Trust & Milenko Boric Family Trust (“**Boric & Ors**”) against the decision of Waka Kotahi New Zealand Transport Agency to confirm North West Strategic Network: Alteration to designation 6766 State Highway 16 (“**NoR S2**”).

1. NTC made a submission about the subject matter of the proceedings.
2. NTC also has an interest in the proceeding that is greater than the interest the general public has because:
  - (a) It has also appealed<sup>1</sup> against the same or similar NoR S2 conditions that are the subject of the Appeal and therefore has a direct interest in the relief sought.
  - (b) As an appellant and owner of a site affected by NoR S2, NTC has the potential to be directly affected by amendments to the NoR S2 conditions arising from the Appeal.
3. NTC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991. In any event, NTC is directly affected by an effect of the subject of the Appeal that:
  - (a) Adversely affects the environment; and
  - (b) Does not relate to trade competition or the effects of trade competition.

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<sup>1</sup> ENV-2024-AKL-000152

4. NTC is interested in all the proceedings. NTC is particularly interested in the aspects of the Appeal which concern the way in which the designation addresses site specific issues, the appropriate requirements for consultation on and submission of management plans, and the uncertainty generated by the lapse period.
5. NTC generally supports the relief sought by Boric (to the extent it is consistent with the relief sought by NTC's appeal and does not compromise NTC's interests) for the reasons set out in the Appeal.
6. NTC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 2<sup>nd</sup> day of August 2024

**THE NATIONAL TRADING COMPANY OF NEW ZEALAND** by its solicitors and duly authorised agents Ellis Gould



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**Daniel Sadlier / Alex Devine**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: 09 306 1075. **Attention:** Daniel Sadlier ([dsadlier@ellisgould.co.nz](mailto:dsadlier@ellisgould.co.nz)) and Alex Devine ([adevine@ellisgould.co.nz](mailto:adevine@ellisgould.co.nz)).

**Copy to:** Waka Kotahi NZ Transport Agency

**And:** The Appellant

*Advice*

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