

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-000274**

**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 157 of the LGATPA

**BETWEEN** **TIMOTHY LAID EDNEY and D J BEVAN  
TRUSTEES LIMITED, trustees of the  
ROCKFIELD TRUST**

Appellant

**AND**

**KIWIRAIL HOLDINGS LIMITED**

Respondent

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**NOTICE OF PERSON'S WISH TO BE A PARTY TO PROCEEDINGS UNDER  
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

**11 JANUARY 2017**

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**M G Wakefield**  
Auckland Council  
Private Bag 92300, Victoria Street  
AUCKLAND 1142

**TO:** The Registrar  
Environment Court  
PO Box 7147  
Wellesley Street  
AUCKLAND

1. **Auckland Council** wishes to be joined as a party under section 274 of the RMA in relation to the appeal lodged by the Rockfield Trust under section 157 of the LGATPA against the decision of Kiwirail Holdings Limited on a designation included in the Auckland Unitary Plan, namely, Designation 6304: relating to the Onehunga Branch Railway Line, Auckland (**Designation 6304**).
2. **Auckland Council** claims status to be heard on the appeal as the relevant local authority.
3. **Auckland Council** is not a trade competitor for the purposes of sections 308C or 308CA of the RMA.
4. **Auckland Council** is interested in the appeal as it relates to an alleged error of law associated with the inclusion of Designation 6304 in the Auckland Unitary Plan, as it relates to a lack of jurisdiction to include the Appellant's land at 5-9 Maurice Road, Penrose within Designation 6304.
5. **Auckland Council's** support or opposition for the relief sought will be dependent on the Court's determination of the alleged error of law / jurisdictional issue.
6. **Auckland Council** agrees to participate in mediation or other alternative dispute resolution of the proceedings.
7. A copy of this notice has been served on the parties to the appeal.

**DATED** 11 January 2017



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**M Wakefield**  
Counsel for Auckland Council

**THIS NOTICE** is filed by **MICHAEL GREGORY WAKEFIELD**, solicitor for Auckland Council. The address for service of the appellant is at the offices of Auckland Council, Level 11, 135 Albert Street, Auckland.

Documents for service on Auckland Council may be delivered to the address for service or:

1. Posted to the solicitor at Private Bag 92300, Auckland 1142;
2. Emailed to the solicitor at [mike.wakefield@aucklandcouncil.govt.nz](mailto:mike.wakefield@aucklandcouncil.govt.nz); or
3. Transmitted to the solicitor by facsimile to 09 890 7723.

**Names of persons to be served with a copy of this notice:**

1. The Appellant
2. The Respondent

**Advice:**

If you have any questions about this notice, contact the Environment Court in Auckland at: Specialist Courts and Tribunals Centre, Level 2, 41 Federal Street (Corner Wyndham Street), Auckland 1010.