



McFADDEN McMEEKEN PHILLIPS
LAWYERS

21 August 2012

Nelson City Council
PO Box 645
NELSON 7040

RECEIVED

22 AUG 2012

NELSON CITY COUNCIL
Records

Attention: Mandy Bishop

Dear Mandy

RE: TRUSTEES OF THE MCFADDEN FAMILY TRUST AND OTHERS v NELSON CITY COUNCIL - ENV-2012-WLG-000083

We **enclose** herewith by way of service, Notice by Anthony Peter Scott, Richard Vaughan Smith and Brent Washington Smith pursuant to section 274 of the Resource Management Act 1991.

This Notice has now been filed with the Environment Court.

Yours faithfully
McFADDEN McMEEKEN PHILLIPS

Victoria Hall
Partner

Victoria@mmp.co.nz

187 Bridge Street, P O Box 656, Nelson 7040, New Zealand, DX WC 70016, Phone: 03 548 2154, Fax: 03 548 2157, www.mmp.co.nz
RICHMOND OFFICE 6 Florence Street, PO Box 3846, Richmond 7050, Phone: 03 544 9845, Fax 03 544 8693
TAKAKA OFFICE Commercial Street, Takaka, Phone: 03 525 0020 (visiting fortnightly)

IN THE ENVIRONMENT COURT

ENV-2012-WLG

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of an Appeal under clause 14(1) of
the First Schedule of that Act

BETWEEN

**MICHAEL JAMES LOWE and
MARIA-LOUISA LOWE and
CHRISTOPHER DANIEL
STRONG, PETER STEPHENSON
FRY, NIGEL ALEXANDER
McFADDEN and PHILIPPA JANE
McFADDEN (as Trustees of the
McFADDEN FAMILY TRUST)**

Appellants

AND

NELSON CITY COUNCIL

Respondent

**NOTICE BY ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH AND BRENT
WASHINGTON SMITH UNDER SECTION 274 RESOURCE MANAGEMENT ACT 1991**

Presented for filing by:

McFadden McMeeken Phillips
Solicitors
187 Bridge Street
NELSON

Telephone (03) 548 2154
Facsimile (03) 548 2157
Solicitor dealing with proceeding
V J Hall

**TO: The Registrar
Environment Court
WELLINGTON**

TAKE NOTICE that:

1. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** wish to appear and be heard in respect of these proceedings.
2. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** have an interest in these proceedings that is greater than the general public does on the basis that it owns the land at 3D Hill Street, Richmond. The relief sought in the Appeal will therefore affect the use of the property at 3D Hill Street, Richmond and access to the property.
3. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** are not trade competitors for the purposes of Section 308C of the Resource Management Act 1991.
3. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** are interested all of the proceedings.
4. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** support the relief sought by the Appellants.
5. **ANTHONY PETER SCOTT, RICHARD VAUGHAN SMITH and BRENT WASHINGTON SMITH** agree to participate in Mediation or other alternative dispute resolution of the proceedings.

DATED at Nelson this 21st day of August 2012

..... 

V J Hall - Solicitor for Section 274 Party

The address for service of the giver of this notice is care of Messrs McFadden McMeeken Phillips, Solicitors, 187 Bridge Street (PO Box 656) Nelson.

TO: The Registrar - Environment Court

AND TO: The Appellant

AND TO: The Respondent