

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO  
TĀMAKI MAKAURAU ROHE**

**ENV-2020-AKL-000045**

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

**IN THE MATTER** of an appeal under clauses 29(6) and 14(1) of Schedule 1  
of the Act

**A N D**

**IN THE MATTER** of Private Plan Change 25: Warkworth North to the  
Auckland Unitary Plan (Operative in Part)

**BETWEEN** **ATLAS CONCRETE LIMITED**  
Appellant

**A N D** **AUCKLAND COUNCIL**  
Respondent

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**NOTICE OF WARKWORTH PROPERTIES (2010) LTD'S WISH TO BE A  
PARTY TO PROCEEDINGS**

**12 JUNE 2020**

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**ELLIS GOULD  
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AUCKLAND**

**REF: Douglas Allan / Alex Devine**

**NOTICE OF WARKWORTH PROPERTIES (2010) LTD'S WISH TO BE A  
PARTY TO PROCEEDINGS**

**TO: The Registrar  
Environment Court  
Auckland**

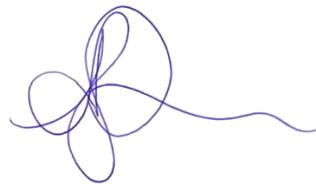
**WARKWORTH PROPERTIES (2010) LIMITED (“WPL”)** wishes to be a party to the appeal (“**Appeal**”) by Atlas Concrete Limited (“**Atlas**”) against the decision of the Respondent on Private Plan Change 25: Warkworth North (“**PC25**”).

1. WPL made submissions about the subject matter of the proceedings. Amongst other things, WPL’s submission and further submission on PC25 addressed the zoning of land and the location and delivery of the proposed Western Link Road (“**Link Road**”).
2. WPL is also a person who has an interest in the proceedings that is greater than the interest the general public has on the grounds that:
  - 2.1 WPL will be directly affected by PC25 as the owner of a site on the north western corner of SH1 and Hudson Rd, legally described as Sec 4 SO 476652 (“**Site**”). A map identifying the Site is attached as **Appendix 1**.
  - 2.2 The Appeal seeks to rezone part of the Site from a Business - Mixed Use zoning (applied by the decision on PC25) to an industrial zoning.
  - 2.3 The changes sought to the PC25 zoning by the Appeal therefore have the potential to adversely affect WPL’s interests.
3. WPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (“**Act**”). In any event, WPL is directly affected by an effect of the subject of the appeal that:
  - 3.1 Adversely affects the environment; and
  - 3.2 Does not relate to trade competition or the effects of trade competition.

4. WPL is interested in the aspects of the appeal relief that relate to the zoning of the Site, as well as the zoning of land in proximity to the Site. In that regard:
  - 4.1 WPL wishes to ensure that the final form of PC25 provides for development in an appropriate manner whilst ensuring that adverse effects on its Site are minimised.
  - 4.2 WPL wishes to ensure that the zoning applied under any decision on this appeal takes proper account of the interface with the WPL Site and the topographical and locational characteristics of those parts of the Site that are subject to the Appeal.
  - 4.3 To the extent that any decision on the Appeal will have implications for the location of the Link Road, WPL wishes to ensure that the indicative route for the Link Road remains as identified in the decision, or in a manner that means it will not encroach on the part of the WPL Site with a General Business zoning.
5. WPL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** at Auckland this [12] day of June 2020

**WARKWORTH PROPERTIES (2010)  
LIMITED** by its solicitors and duly authorised  
agents Ellis Gould



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**D A Allan / A K Devine**

**ADDRESS FOR SERVICE:** Douglas Allan / Alex Devine, The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: D A Allan / A K Devine, dallan@ellisgould.co.nz / adevine@ellisgould.co.nz.

**Copy to:** Auckland Council,  
**And:** The Appellant  
**And:** The Plan Change Applicant

# APPENDIX 1

Appendix 1 - PC25 Zoning Map (Decision) showing WPL Site

