

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

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

ENV-2024-AKL-000161

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

IN THE MATTER of an appeal under section 174 of the Act against a decision of the Auckland Transport on Notice of Requirement NOR 1 - Warkworth: Northern Public Transport Hub

BETWEEN **Middle Hill Limited and the Trustees of the Tyne Trust**
Appellant

AND **Auckland Transport (NoR-1)**
Respondent

**NOTICE OF FOODSTUFFS NORTH ISLAND LIMITED'S WISH TO BE A PARTY TO
PROCEEDINGS**

7TH AUGUST 2024

**ELLIS GOULD
LAWYERS
AUCKLAND**

REF: Douglas Allan (dallan@ellisgould.co.nz)
Alex Devine (adevine@ellisgould.co.nz)

**Level 31 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172
PO Box 1509, DX CP22003
AUCKLAND**

**NOTICE OF FOODSTUFFS NORTH ISLAND LIMITED'S WISH TO BE A PARTY TO
PROCEEDINGS**

TO: The Registrar
Environment Court
Auckland

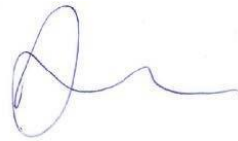
FOODSTUFFS NORTH ISLAND LIMITED ("Foodstuffs") gives notice under section 274 of the Resource Management Act 1991 ("**RMA**") that it wishes to be a party to the appeal ENV-2024-AKL-000161 ("**Appeal**") by Middle Hill Limited and the Trustees of the Tyne Trust ("**Middle Hill**") against the decision of Auckland Transport ("**the Decision**") to confirm Notice of Requirement 1 - Warkworth: Northern Public Transport Hub and Western Link North ("**NOR 1**").

1. NTC made a submission about the subject matter of the proceedings.
2. NTC has an interest in the proceeding that is greater than the interest the general public has as the owner, through its subsidiary Warkworth Properties (2010) Limited, of 12 Hudson Road ("**Pak'n Save site**") which, pursuant to Condition 8A of NOR 1 will be able to access the Western Link Road via a fourth arm to the intersection between the Western Link Road and the local road serving the Transport Hub.
3. Foodstuffs is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Foodstuffs is interested in the Appeal in its entirety and supports the relief sought by Middle Hill to the extent it is consistent with and does not compromise the outcome enabled by Condition 8A.
5. The reasons for Foodstuffs' support of the Appeal are:
 - (a) The reasons set out in the Appeal; and
 - (b) The relief sought by Middle Hill will provide a better linkage to the Pak'n Save site from the nearby urban area.

6. Foodstuffs agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 7th day of August 2024

FOODSTUFFS NORTH ISLAND LIMITED by its
solicitors and duly authorised agents Ellis Gould



Douglas Allan / 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:** Douglas Allan (dallan@ellisgould.co.nz) and Alex Devine (adevine@ellisgould.co.nz).

Copy to: Auckland Transport

And: P2W Services Limited

Advice

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