

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KOOTI TAIAO O AOTEAROA
I TĀMAKI MAKAURAU ROHE**

ENV-2024-AKL-000113

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

AND

IN THE MATTER of an application under section 311 of the RMA for a declaration as to the activity status of subdivision in Chapter E39 Subdivision – Rural of the Auckland Unitary Plan (Operative in Part)

BETWEEN **CATO BOLAM CONSULTANTS LIMITED**
BETTER LIVING LANDSCAPES LIMITED
WARKWORTH SURVEYING LIMITED
FLUKER SURVEYING LIMITED
BUCKTON CONSULTING SURVEYORS LIMITED
TERRA NOVA PLANNING LIMITED
PARALLAX CONSULTANTS LIMITED
Applicants

AND **AUCKLAND COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Dated: 5 July 2024

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BROOKFIELDS
LAWYERS

TO: The Registrar
Environment Court
AUCKLAND

AND TO: The Applicants

AND TO: The Respondent

1. Omaha Park Limited (**OPL**) wishes to be a party to the following proceedings: ENV-2024-AKL-000113, being an application lodged by the Applicants for a declaration as to the activity status of subdivision in Chapter E39 Subdivision – Rural of Auckland Unitary Plan (Operative in Part).

Background

2. The application for a declaration relates to the Environment Court and High Court decisions in *Cabra Rural Developments Limited & ors v Auckland Council* (the **Previous Related Proceedings**).¹
3. In a Minute dated 14 June 2024 the Court noted that a number of parties engaged in the Previous Related Proceedings were in a similar position to the Applicants. Mr Littlejohn, legal counsel for the Applicants, agreed that it would be useful to serve other appropriate parties.
4. OPL was a section 274 party in the Previous Related Proceedings, and as a result, OPL has received service of these proceedings.

Trade Competition

5. OPL is not a trade competitor for the purposes of Resource Management Act 1991, s 308C.

¹ *Cabra Rural Developments Limited & ors v Auckland Council* [2020] NZEnvC 153 (interim decision); *Cabra Rural Developments Limited & ors v Auckland Council* [2021] NZEnvC 010 (final decision).

Nature of Interest

6. OPL is a person who:
- (a) Has an interest in the proceedings that is greater than the interest of the general public has as OPL owns 665ha of land between Omaha Beach and Tawharanui Regional Park. The application for a declaration has direct implications for the use and development of that land.
 - (b) Was a submitter (5779) and a further submitter (FS 2593) on the Auckland Unitary Plan provisions that are subject to these proceedings.
 - (c) Was a 274 party in the Previous Related Proceedings.

Extent of interest

7. OPL is interested in all of the proceedings.

Relief sought

8. OPL supports the application and the relief sought by the Applicants.

Mediation

9. OPL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED the 5th day of July 2024



J D Young / M Hooper
Counsel for Omaha Park Limited

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Advice

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